



Regular Council Meeting
Monday, July 15, 2024 - 5:00 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance
5. Approval of Agenda
6. Action on Minutes
 - a. July 2, 2024 Regular
 - b. July 8, 2024 Special
7. Citizen comments on matters not on the agenda
8. Executive Session to discuss imminent court action
9. Council Committee reports
 - a. **Planning & Zoning:** Met 7/9/24; Next 7/23/24 @ 6:30 pm Council Chambers
 - b. **Design Review Board:** 7/9/24 canceled; Next 7/23/24 @ 5:00 pm Council Chambers
 - c. **Finance:** Next 8/6/24 @ 5:00 pm Council Chambers
 - d. **Safety & Service:** Next 8/6/24 @ 5:45 pm Council Chambers
10. Director Reports
 - a. Police Chief
 - b. City Manager
11. Council decision on Zoning Map Amendment - TABLED June 18, 2024
12. Tabled Legislation
 - a. **RESOLUTION 2024-14** A RESOLUTION TO ADOPT THE PROPOSED COMPREHENSIVE PLAN AS PRESENTED. Tabled April 4, 2024
 - i. [Comprehensive Plan Link](#)
 - b. **ORDINANCE 16-2024** AN ORDINANCE TO AMEND SECTIONS 1187.03, 1187.08 AND 1187.09 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES. Tabled July 2, 2024
 - c. **ORDINANCE 17-2024** AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY. Tabled July 2, 2024
 - 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. Tabled July 2, 2024
13. Public Hearings of Legislation
 - a. **RESOLUTION 2024-29** A RESOLUTION AUTHORIZING THE CITY MANAGER TO MOVE FORWARD WITH PLANS FOR WATER TREATMENT PLANT EXPANSION

14. Introduction of Legislation

- a. **ORDINANCE 18-2024** AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY PD DISTRICT MAP BY ADDING TWO PARCELS TOTALING + 9.0 ACRES TO SUBAREA ONE OF THE PD DISTRICT.

15. Other Business

16. Executive Session to consider the compensation of a public employee

17. Adjourn

Next Council Meeting August 6, 2024



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

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for July 2, 2024 at 6:36 PM.

2. Roll Call

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

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

Public present - Nick Hubbell, Andy Joseph, Kristen Joseph, Joel Hatfield, Tiara Pettway, Lloyd Pierre-Louis, Marko Jesenko, Andrea & Bill Ford

3. Invocation - Church of the Ascension

Deacon Byron Philips

4. Pledge of Allegiance

5. Action on Minutes

ACTION: Bob Orsini moved to approve as written en bloc; 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

a. June 18, 2024

b. June 25, 2024 special

6. Citizen comments on matters not on the agenda

1. Andy Bruney

- Chairman of Johnstown's Tree Commission. Highlighted the Memorial Tree Fund; application available on the city website.
- The city's Arbor Day celebration will be in the fall as it is a good time to plant trees. They have decided to plant two London Plane trees which will go in at Hannahs Park. The commission is also discussing replacement of some of the dead Silk Lilac trees that were planted on US62. Discussion with council members on gator bags for water when trees are newly planted.

7. Council Committee reports

- a. **Planning & Zoning:** Met 6/25/24; Next 7/9/24 @ 6:30 pm Council Chambers
Board recommendation of approval for an annexation change to the zoning map for the PD District.
- b. **Design Review Board:** Met 6/25/24; Next 7/9/24 @ 5:30 pm Council Chambers
Certificate of Appropriateness approved for a new sign at 23 S. Oregon. Board reviewed and made edits to Ordinance 16-2024, Chapter 1187, on council's agenda tonight.
- c. **Finance:** 7/2/24; Next 7/15 /24 @ 5:00 pm Admin conference room
Meetings going forward will be held in council chambers. Resolution proposed that will be discussed tonight.
- d. **Safety & Service:** 7/2/24; Next 8/6/24 @ 5:45 pm Admin conference room
Meetings going forward will be held in council chambers. Discussed public messaging on the traffic light, city road paving priority list, semi-trucks on side roads, and snow maintenance in the downtown area.

8. Director Reports

- a. Service Departments: Water, Sewer, Street, Director
Reports provided in council packet.

Mr. Orsini asked for an update on the Coughlin apartments. Mr. Liggett said that there was no new information and no construction work going on at this time. Mr. Green said that as of yesterday there were some tractors moved in, they did mow, also saw some new stakes marking underground lines.

Mr. Orsini asked about water theft. Mr. Liggett said they have had reports of people filling tanks through fire hydrants on Clark Drive. License plate numbers were turned over to the Police Department. Chief Smart said as of now there are cameras on the hydrant, contact was made with one company. Mr. Liggett said there is bulk water available at the city fill station legally, there is no reason anyone should be filling through a fire hydrant.

Jack Liggett reviewed his report. Highlighted that the grant received for leak detection equipment was for \$9,700, the equipment was ordered and received. The needed repair to the high service pump cost is \$33,000.

Mayor Barnard asked why several fire hydrants in town had bags over them. Mr. Liggett said they have made it a priority this year to operate every fire hydrant and they have three out of service.

One has a leader line to it in bad shape, the first estimate to repair was \$20,000 so he is holding off on that to see if he can find another route to fix that line. There are parts ordered for the other hydrants. Mr. Liggett said there are main line valves in Leafy Dell that need to be replaced.

Mr. Kobel asked with the new leak detection equipment received, what does that bring the overall number up to and how many more will the city need in the future. Mr. Liggett said it brings the number to ten, they should be able to test the whole town every twelve months.

Mr. Barr asked if the flags downtown will be back up for the fourth of July holiday. Mr. Liggett said they were taken down to wash, and they have been put back up. Mayor Barnard said our flags are four to five years old and in need of replacement. He has asked Mr. Selan to research the best type of flag and cost to replace all, maybe this can be added to the budget next year. Mr. Barr asked if this was something that one of our community service organizations could be asked to monitor and pay for, maybe the Chamber or Downtown Johnstown. Mr. Selan asked for a count and said he works with the Coshocton Flag Company, he could check into some type of regular replacement

program and see what the price tag is. Replacement every two years would be the target.

9. Council decision on Zoning Map Amendment - TABLED June 18, 2024

The applicant requests this decision to remain tabled.

10. Tabled Legislation

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

Remains tabled.

11. 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.

Clerk to correct the Ordinance heading to add 1187.03 also being amended.

Mayor Barnard asked Ryan Green to highlight. Mr. Green said this did not come through zoning, but it came out of some conversations with zoning. He said some on zoning wish this had come through the zoning board, that the Charter says any change to zoning needs to come through zoning, but, there was some feedback given indirectly. Mr. Green said that the Planning Commission had a demolition application a few weeks ago and realized that the current structure does not give a lot of teeth to evaluate demolitions through the zoning commission, they did not have a lot to go on. He said they did ask a lot of great questions but as far as teeth to make a legal decision on, they didn't have a lot. He said Design Review had a little more luck with this, they asked some great questions, this will be something that will go to them in the future, he thinks given the majority of people on Design Review and their professions, typically this is something they're probably going to be more comfortable with. He said when a building is demolished, they want to make sure they are asking the perfect questions, what are you going to do in the future, what is the site going to look like, is everything done to make sure that this site isn't used for higher and better use. If you buy a property in Johnstown and decide before buying, that you will demo it, but it is able to be used as a house or business or some better use, you will run into some road blocks with this. He said we pulled some of this from other cities that had more teeth. These will come to Design Review and he believes they will have final say.

Mayor Barnard said he knows there is talk of demolitions occurring and asked council if they wanted to send this back to zoning for review and risk having unwanted demolitions go through, or do they want to pass this tonight. Mr. Green said some on zoning had asked to see this, he thinks they have belabored the point, at this point this has been through council, this is the second week, as much as he would like to see things go through zoning, he would really like to see this go through zoning, that would be the decision of council. Ms. Hollis said she agreed. A demolition example was discussed, Mr. Green said currently there were some things going through Design Review and some things going through zoning and this is going to calibrate this better. He said ultimately it comes down to a COA, if you are going to make a change to a structure, you need a Certificate of Appropriateness and that is why Design Review was seeing them, because they oversee COA's. There was other language in our code that said they come to zoning, they want to take out that ambiguity. Mr. Selan asked where Mr. Green wanted to see these (demos) go through, Mr. Green said he was fine with them going to Design Review long term. Ms. Hollis said, but you are saying send it back to Planning and Zoning to review before they finalize this, Mr. Green said our Charter is pretty specific on that. Mayor Barnard asked Mr. Green, because he is on zoning, did they want to take a look at this before they move forward, he knows that he objected to a demolition recently, Mr. Green said this is a decision of council, they have had this for two weeks, zoning did make a point about it, there was nothing vehement about it, but the point was made, for in the future. He said this is a minor change to the zoning, it doesn't talk about land use or anything like that so he will leave it up to council. Mr. Orsini said he did not see any reason why

they would not send this back to zoning. Mr. Green said lately, they just want to make sure that if building are going down here in the city, there needs to be reason, a plan and forward thinking to make sure we are not losing valuable housing stock, historical buildings, business opportunities, things of that nature. He said we are going to see a lot of different players come into the city here in the near future, with all sorts of ideas for development and they want to make sure they are safeguarding things the best they can. Some further examples discussed; Mr. Green said ultimately our zoning code right now is up to their interpretation, a lot of the code they currently have is vague, it was left vague for a reason he believes, to give them more teeth, they want to shore that up though, for a modern audience because sometimes that is lost on modern audience, of the nuances of the vagueness of it.

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

Further council discussion on various demolition situations and the criteria in the ordinance. Discussion on procedure after no immediate motion was made and tabling the ordinance so it can be reviewed by the Planning Commission.

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

Passed 6 - 1 TABLED

b. **ORDINANCE 17-2024** AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY.

Mayor Barnard said this issue has come to council now that marijuana is legal in the state, does the City of Johnstown want to have cannabis dispensaries in the city. It is thought that this is not something our residents want in town, they do not want the distribution of marijuana.

Ryan Green said he is not sure where the nexus of this conversation came from, he said he knows that in the City of Johnstown, they voted in favor of marijuana, but distribution obviously was not on there. Mr. Green said also, this governs land usage, Planning and Zoning should come into play, he thinks further conversation on this needs to happen. He said he knows this is being debated across the state currently, obviously the state is still trying to get all its ducks in a row, he wants to take a hard look at this.

Mayor Barnard asked Tiffany Hollis what the Chamber of Commerce thought about dispensaries; she said she did not know if there is an opinion but could check. Jeff Barr said he thinks they should table this for further discussion to be as informed as possible on the topic, he knows that before he said he would be against it but he still thinks there should be opportunity to discuss and evaluate. Mr. Selan asked what the process was for opening a dispensary. Clerk Monroe said that there was probably a state license for dispensary like there is for cultivation or processing and that this legislation was a recommendation by city legal counsel as there have been a lot of inquiries about opening dispensaries in Johnstown. Ms. Monroe said that standard reply is that marijuana dispensaries are not a permitted use in the city, but legal counsel said if council does not want medical or adult use dispensaries, it would be a good idea to enact legislation to prohibit them. Ryan Green said he thought every legal business had to have some sort of location in the zoning, he said the quickest, fastest, easiest way to do this is to make things a conditional use and place them in a certain district. Mayor Barnard said that the problem we're running into with marijuana, is that the state voted on it and passed it but has not come up with rules and regulations on all of this, it is falling on municipalities to regulate it. Mr. Orsini said one other exposure would be that if the

state does define or reclassify it to something that would qualify, it may not be a decision that zoning or council has at that point and because of timing, there is potential for something to occur outside of the will enforced through zoning and council for the community. Ms. Hollis said that in our community, the numbers were not overwhelmingly in favor or not of it, so they don't have a real clear direction on what the community really wants. Mr. Orsini said he does not have a value judgment on whether he is for or against the product, he is more so wanting to be cautious that we allow for the time to make sure that we get it right, because, if nothing else, there is a magnifying glass on it now.

Wesley Kobel asked Chief Smart if this would bring any additional burden on his department. Chief Smart said at every single Chief's meeting, this topic is brought up, there are a lot of things happening with the state, and as stated, does not have "all their ducks in a row". He said that the attorney brought this to the councils attention as an emergency, probably for a reason.

Public Hearing:

1. Andy Joseph

- As an applicant winner for a marijuana dispensary, the applicants must identify the location, it has to be zoned properly, the owner has to agree to it, it also has all the other physical location requirements such as proximity to schools, church, playground etc. On the form to even enter the lottery, there is approval needed by the municipality. There is an element of fear for the unknown, but the reality is there is no way you could get a dispensary permit, a license from the state, to set up a medical or recreational dispensary without already having approval from everybody who would be concerned. He said the process of finding a location is one of the most difficult things you have ever had to do. The fundamental problem with putting a moratorium in place, is that you lose the opportunity. If the city does not want dispensaries then this is absolutely the right move because you won't get one. If you don't pass this, you are giving yourself the option to see what happens.

Mr. Orsini said what Mr. Joseph is explaining is that the likelihood of having a dispensary that is against the will of the community, is almost impossible. Mr. Joseph said he cannot say there is zero chance but it is almost impossible and explained the process further. Mr. Barr asked Mr. Joseph if Johnstown, as it sits today, was an ideal business location for a recreational use dispensary, from his experience. Mr. Joseph said it is not really an ideal location, from a pure visibility standpoint, Easton is a great location, however, because of the fact that there are a lot of restrictions on where these places can go, people will drive to them, people will drive past Easton to get to a marijuana dispensary in Johnstown because it is the closest one to them. Some further questions posed and answered.

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

Passed 4 - 3 TABLED

Ryan Green said the question on tabling is what happens to it now, he doesn't want to just table it and let it sit. Tiffany Hollis said she would take this on, they need to understand the application process and what the state requirements are. Mr. Barr asked if her plan was to have more information at the next meeting, she said yes.

c. **RESOLUTION 2024-27** A RESOLUTION OF COMMITMENT TO JOHNSTOWN RESIDENTS FOR TAX REVENUE SPENDING

Mayor Barnard said as most know, a tax increase was put on the ballot last year. At that time, most of the council was up for election, there was nothing the city could do on saying how the money would be spent. He said this council has listened to what the residents have said and come up with a plan for this tax if passed. First they have come up with a plan for how the money is spent, this tax would generate about \$2.1 million additional funding for the city. They would like to see 55-65%; about \$1,300,000, go to road and sidewalk improvements within the city. The TAM report in 2014 identified roads that needed attention then, that haven't had that attention due to funding, those roads that could have been easily repaired then, now need full depth reclamation. 10-18%; about \$300,000 would go to safety and service, this would bring an additional three police officers into the city. Another 10-18%; \$300,000, would be for city operations, for economic development, street department and city planners. 4-10%; about \$150,000, would go for parks, trails and beautification of the city; about \$150,000. Right now the City of Johnstown spends about \$25,000 per year on parks, this basically covers maintenance and mulch. 2-6% would go to a resident economic assistance program. This tax would be hitting our residents that live and work here in Johnstown the hardest, the residents who live here and work elsewhere would get a tax credit, their taxes would actually go down, but for the small percentage of residents that live and work here, they would get the biggest hit. They are working on coming up with a resident assistance program and would need to allocate roughly 4% of the money to this program. The reason why they have allocated percentage ranges is because projects may come up that might spend more in one category or another but this is what the city goals are. Also to commit to full transparency and accountability, the Johnstown City Council commits to provide an annual report to its residents on how the tax revenue was spent, this will be a report that goes to city residents.

Bob Orsini added that the reason they went to percentages rather than a dollar figure is as the monies come in, as we see development and additional workers, this would change the dollar amounts to the positive. As revenues increase, they will be applied to these five major areas in accordance with the dollars raised.

Jeff Barr noted the cost for full depth road reclamation is about a half million dollars per block. Mr. Liggett said we have miles, off the top of his head, about twenty blocks in need. Mr. Barr said that is ten million dollars plus. Discussion on East and West Jersey Street projects as examples.

Mayor Barnard said that right now the city allocates twenty-eight percent of city tax revenue, General Fund income, to capital improvement projects which are typically roads. Twenty-eight percent of three million dollars falls under \$900,000, of that, we have to pay the debt on the roads completed before, we have approximately four million dollars of debt we are paying on, so paying \$400-450,000 per year on debt, out of that \$900,000, which leaves about \$450,000 for road projects during the year, that does not get us very far. Mr. Barr said that without repair, roads will continue to get exponentially worse and cost more and more.

Tiffany Hollis said they are working very hard to come up with the parameters for the economic assistance program, low to median income would benefit from that, and she is fully committed to making sure that happens before this goes on the ballot. She also would like to see the spending report quarterly rather than annually. Finance Director Delande said that is possible, then a more in depth report at the end of year. Mr. Orsini noted that those funds don't come in immediately, so everything will be nine to twelve months in the rear as far as reporting and availability because once passed, then the revenue change goes into place, then the money starts to come in, so it is

not instantaneous, there is a lag between passage and availability.

Mayor Barnard said that raising taxes is not something they want to do, it would be a lot easier to go to say 1.5%, but the fact is, our roads are falling apart, we don't have the police presence we need, we don't have the workers we need, and that need is not going away, it is only getting larger. If this would have been passed five years ago, we wouldn't have to go this high, but the need is there.

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

Mayor Barnard said this is council's promise to residents, they are trying to be as transparent as possible and show where the money will go and what we need it for. Mr. Barr said they sit here as a collective unit saying this is how their dollars will be spent.

Mr. Orsini moved to approve as written, Jeff Barr seconded. Tiffany Hollis said she would like to edit the Resolution to reflect the quarterly reporting. Ms. Monroe said the resolution can be edited for the addition of quarterly reports as well as taking out the dollar amounts and correcting the percentages as discussed.

ACTION:	Bob Orsini moved to approve with corrections discussed by council; Jeff Barr seconded and the vote was as follows:
AYES:	Bob Orsini, Jeff Barr, Tiffany Hollis, Mayor Barnard, Wes Kobel, Dave Selan
NOES:	Ryan Green
ABSTAIN:	None

Passed 6 – 1

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

Mayor Barnard said the purpose of this resolution is to give council more time to learn more about the cannabis process and do the will of the city. He added that he was going to propose a six-month moratorium rather than twelve, and at any time, this could be lifted. Bob Orsini asked what the city was trying to prevent with this legislation. Mayor Barnard said that, as others have said, the fact that the state has passed this and has not come up with rules and regulations, the whole process is just not understood yet, the thought was to give this new council time to study and understand the process. Mr. Orsini asked what is the difference between adult use and medical use when it comes to cultivation and processing. Mayor Barnard asked Andy Joseph to come back up and answer. Mr. Joseph said the process is the same, the difference between adult and medical is the end user or the consumer. Medical patients are prescribed cannabis for any number of issues that have been identified by the state pharmacy board. Adult use is the exact same product, exact same material, packaged differently and subsequently sold for adult use or recreational to anyone over the age of 21. Mr. Joseph said they all start out as the same plant and they are all processed using identical methods whether it becomes a recreational or medical product. Mr. Joseph invited council members to come take a tour of the Curaleaf facility; he added that he owns the building so that is his stake in this, however, he was the original license holder, and he sold it to them, so he is still vested in them doing well. He also has a dispensary in Newark, he is happy to take them through that as well. Mr. Joseph added that the marijuana industry is heavily taxed, and regarding the tax revenue from dispensaries, there is an additional ten percent tax placed on adult use products by the state, that ten percent tax is then distributed back to a fund created, and distributed back to a number of different places, and somewhere in the neighborhood of at least thirty-five percent is distributed back to municipalities who have embraced, encouraged and ultimately have a dispensary located within their jurisdiction. Andy Joseph said that in 2015 he was

having conversations with the folks at this same council table, that if you google "Johnstown, Ohio marijuana" a number of articles will come up, he said this was unheard of then, nobody was doing this, and this council's predecessors said we understand this and when the opportunity presents itself, we are not going prevent it, and that is why the building is there today. Dave Selan said the past action was related to medical marijuana, not recreational; Mr. Joseph said that is correct, and now as of November, the state has legalized adult use cannabis and so that is why they are back on the conversation, they are licensed differently.

Joel Hatfield, the Operations Manager for Curaleaf in Johnstown, provided and reviewed a packet of information on the company, its background, current operation information and potential future expansion. Mr. Hatfield said he was here to request that the council table this decision on a moratorium until a later meeting so that they can provide any additional information in order to help them make a fully informed decision. He said there will be no changes noticed in day to day operation, it will be the exact same cannabis, all the processing methods are the same. Tiffany Hollis asked if they had every had any violations for compliance, Mr. Hatfield said no. He provided an overview on facility security and answered a few further questions from council. He again extended an offer to council for a tour of the facility.

Some further discussion on how this moratorium affects Curaleaf; Mr. Orsini asked if they had a recommendation on a "pause" that would allow them to increase their knowledge on this to understand all the effects and how it will change from what it is to what it will be, is it sixty days, six months, thirty days? What is fair, what changes from today to thirty, sixty, or ninety days out that make this something they should make a hard decision on now versus taking a pause to understand the situation. Andy Joseph said the answer is zero, that the city needs "roads, police and workers", that taking a pause limits the ability for the facility to expand, taking a pause won't prevent anything from happening, it will just make it take longer. The opportunity to expand to accommodate the production capacity of the facility for adult use cannabis is now. It will take at least a year, he will put about four and a half million dollars into that facility and they will put another fifteen to twenty million, the equipment and production is very expensive and it takes time. He added that adult use regulations are there from the state, dispensaries are already opening, the time is now. Mr. Joseph said if there is information to be learned, they are happy to learn it, but the pause runs the risk of delaying a lot of opportunity.

Jeff Barr asked if this should be in front of council or in front of Planning and Zoning. Ryan Green said Planning and Zoning would get the building and then if they were making a decision on usage, if they were going to rule if this should be in a certain part of the city, Planning and Zoning would rule on that type of zoning or if they were creating something new. Mr. Selan asked about the plan for expansion and the difference in square footage. Mr. Joseph said the current facility is 32,000 square feet, the expansion would come in four phases and will ultimately be a footprint of 107,000 square feet. Some further discussion and questions on the need for the expansion. Mayor Barnard asked if Curaleaf needed an additional license to produce the recreational; Mr. Hatfield said yes, and they have already applied for it. Curaleaf's attorney, Lloyd Pierre-Louis, reviewed the licensing processes for the council, September is the deadline to issue licenses. Mr. Selan asked if a moratorium until the August 6th council meeting would hinder their process. Mr. Pierre-Louis said the answer was yes; there was further discussion and questions asked. Mayor Barnard turned over a question on crime concerns to Chief Smart who said that speaking on this company directly, the law enforcement in this community has no issue with them. Mr. Kobel asked of their employees, how many lived in Johnstown, Mr. Hatfield said he would say eight to ten. Currently they have sixty employees and predict going to one hundred and fifty, average salary is \$30,000/year.

Bob Orsini said where he sits on this, is that they need to be intentional with what they do, the real or imagined gravity of the potential of what these steps mean, as stewards of the community, it is their duty to make sure they understand all the details and implications and that we have policies, both fiscal and process, in place to make sure we maximize the outcome to the benefit of the

community. He said he does not have a confidence level in this, not because of lack of information, but because of the general knowledge and understanding of the entire situation, there may be other details that need to be weighed to see if this fits the community's will, there is more research to be done.

Ryan Green said he agrees with being intentional, that this is not an issue that all of them have put a ton of time and research into, so he wants to make sure they are all as educated as they should be and doing this right for the city and for the businesses here in the city. He doesn't know if he would support a moratorium, but he would support a plan of action to get it right.

Mr. Orsini said that he would recommend, because they don't know what they don't know, we put a stake in the ground, and outline a time where no action can be taken. If there is something that can happen that we don't want, it's going to be on a fast track. Without a moratorium of some sort, we are not protected against ill-action, he does not suspect it is out there, but again, he doesn't know what he doesn't know. Ms. Hollis said she would hate to hurt their chances of being issued a license. Mr. Orsini said he does not want to ruin an opportunity for a business, but at the same time, we must protect the community.

Mr. Joseph asked the council to table the moratorium and take the opportunity to learn as much as they want to learn. Realize that they submitted a request to expand their facility to accommodate more production as a result of increased demand which is going to yield more tax revenue, more employees and more jobs. He added that as a result of the request to expand the facility, they were met with a discussion on moratorium, which seems like the city doesn't want it. He would strongly recommend tabling this conversation and learn as much as possible. Mr. Orsini said they are being asked to make decisions without clear definitions from the state. Mr. Orsini said tabling wouldn't do anything, whatever could get done between now and the next meeting, that would be the exposure.

Mr. Selan said his opinion is that they table the dispensary ordinance (17-2024), that this is a smaller step, the previous ordinance was the larger step in his mind.

ACTION:	Dave Selan moved to table resolution 2024-28; Tiffany Hollis seconded and the vote was as follows:
AYES:	Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel
NOES:	Jeff Barr, Bob Orsini
ABSTAIN:	None

Passed 5 – 2

12. Introduction of Legislation – None

13. Other Business

1. There will be a dunk tank by Downtown Johnstown Inc. at the Fireworks event on Friday, July 5th. Mr. Selan reviewed Council member dunk tank schedule. All proceeds from Dunk Tank money is going to Angels Persist. Mr. Orsini said he would match every donation, up to \$500. There will be food trucks, games and live music.

2. Jeff Barr thanked all the JYAA baseball and softball volunteer coaches. Special thanks to Nick Wise Sr. who is the Baseball Commissioner, it is a lot of behind the scenes with very little recognition and thanks. Also thanked Mike Triplett, the softball Commissioner.

3. Upcoming events:

- Farmers Market July 17th 5-8 pm
- Art in the Park July 20th 3-8 pm

14. Executive Session to consider the employment of a public employee

ACTION: Donald Barnard moved to enter executive session to consider the employment of a public employee, with only council members and with no action to follow; 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

A five minute recess was called. Council entered Executive Session at 9:07 pm and returned to Regular Session at 11:01 pm.

15. Adjourn

With no further action, a motion to adjourn passed 7-0 and the meeting ended at 11:01 pm.

Next Council Meeting MONDAY, July 15, 2024



Special Council
Monday, July 8, 2024 - 8:00 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Special Council Meeting for July 8, 2024 at 8:10 PM.

2. Roll Call

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

Staff present - Sean Staneart - City Manager, Dave Riepenhoff - City Labor Attorney, Teresa Monroe - Clerk of Council

Public present - None

3. Citizen comments on matters not on the agenda

No comments

4. Executive Session to consider the employment of a public employee

ACTION: Donald Barnard moved to enter Executive Session to consider the employment of a public employee, to include all of Council, City Labor Attorney Mr. Riepenhoff, and they would start out without Mr. Staneart, then have him join, no business to follow; 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

City Council entered Executive Session at 8:12 p.m. and returned to Regular Session at 12:47 a.m.

5. Other Business

No further business.

6. Adjourn

A motion to adjourn passed 7-0 and the meeting ended at 12:47 a.m.

**Johnstown Police Department
Patrol Statistics**

	2023													2024												
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Calls for Service	270	238	324	290	386	326	322	355	296	282	255	249	3593	214	630	628	588	590	593							3243
Officer Initiated Calls	78	85	127	109	148	138	144	143	106	130	121	89	1418	84	442	470	410	422	436							2264
Dispatched Calls	192	153	197	181	238	188	178	212	190	152	134	160	2175	130	186	158	178	168	157							977
Case Reports	5	14	28	27	21	15	15	15	29	14	16	25	224	12	19	13	25	16	28							113
Crash Reports	12	10	9	7	8	11	6	8	9	7	6	8	101	9	6	7	8	10	8							48
Arrests	8	3	2	3	1	1	2	0	3	1	3	3	30	0	2	3	2	2	2							11
Traffic Citatitons	43	44	61	46	46	41	31	63	33	45	35	25	513	17	16	51	30	35	35							184
Parking Citations	7	1	2	5	1	8	4	3	1	2	1	3	38	2	0	1	2	2	0							7
Business Checks	2	4	1	5	4	25	29	23	16	23	30	17	179	20	313	302	255	216	305							1411
House Checks	0	0	2	5	23	9	5	2	4	0	0	8	58	16	53	30	54	30	8							191
Traffic Crashes	14	13	8	10	12	11	7	13	12	16	11	12	139	12	16	8	10	14	12							72
Traffic Stops	73	76	110	82	97	82	91	99	59	87	68	45	969	23	35	92	46	72	55							323
Theft	3	8	7	5	7	2	3	5	6	2	4	5	57	3	2	4	2	9	9							29
Domestic Violence	5	5	2	3	5	3	4	4	4	4	0	4	43	2	5	8	3	7	9							34
Assault	0	0	5	0	1	1	2	0	3	2	1	0	15	5	0	0	1	2	0							8
OVI	1	0	1	2	0	0	1	0	2	1	1	1	10	0	0	0	1	0	0							1
Vandalism	1	3	2	2	2	0	1	0	3	2	3	1	20	3	2	6	4	3	5							23
Juvenile Complaint	0	1	4	4	2	3	3	6	5	5	2	2	37	1	5	3	4	2	3							18
Trespassing	3	1	4	0	3	2	2	3	3	0	2	2	25	0	4	3	0	0	1							8
Other Agency Assist	3	6	4	3	3	4	4	3	7	2	6	2	47	16	15	5	6	13	6							61
Warrant	6	2	1	1	1	1	1	0	1	0	2	2	18	0	4	2	0	1	2							9
Overdose	0	2	0	2	1	1	1	0	1	2	0	1	11	0	0	0	0	0	1							1
Suicide Threat	1	2	1	2	1	0	2	1	2	0	2	2	16	3	2	1	2	2	1							11
Alarm Drops	11	7	10	8	18	8	10	10	3	17	7	10	119	15	10	16	17	14	7							79
911 Hang Up/Misdial	41	26	21	36	53	45	37	38	28	12	14	11	362	19	20	12	14	20	15							100

2024 ACCIDENT STATS

	DATE	DAY	TIME	LOCATION	NON INJURY	INJURY	UNOCCUPIED	HIT SKIP	CAD #
1	1/2/2024	TUES	1654	W COSHOCTON ST @ 8 W COSHOCTON ST	X				2024-0010
2	1/2/2024	TUES	1826	N MAIN ST @ 8 N MAIN ST	X				2024-0011
3	1/6/2024	SAT	1156	S KASSON ST @ E PRATT ST	X				2024-0056
4	1/8/2024	MON	1821	W COSHOCTON ST @ N MAIN ST	X				2024-0077
5	1/9/2024	TUES	600	W COSHOCTON ST @ 708 W COSHOCTON ST	X				2024-0080
6	1/9/2024	TUES	2144	W COSHOCTON ST @ CLARK DR	X				2024-0084
7	1/12/2024	FRI	1557	E JERSEY ST @ S MAIN ST	X				2024-0095
8	1/13/2024	SAT	1545	E COSHOCTON ST/N MAIN ST	X			X	2024-0104
9	1/23/2024	TUES	1433	14 S WILLIAMS ST	X		X	X	2024-0149
9					9	0	1	2	

1	2/7/2024	WED	2020	N MAIN ST @ 259 N MAIN ST				X	2024-0315
2	2/10/2024	SAT	1031	E COSHOCTON ST @ 80 E COSHOCTON ST	X				2024-0252
3	2/17/2024	SAT	1340	W JERSEY ST @ HILLVIEW DR	X				2024-0526
4	2/17/2024	SAT	1508	W COSHOCTON ST @ 65 W COSHOCTON ST	X				2024-0527
5	2/26/2024	MON	1649	W DOUGLAS ST @ S WILLIAMS ST	X				2024-0799
6	2/29/2024	THUR	1241	E CDOUGLAS ST @ S MAIN ST	X			X	2024-0839
6					5	0	0	2	

1	3/11/2024	MON	1653	W COSHOCTON ST @ CLARK DR	X				2024-1056
2	3/12/2024	TUES	657	W COSHOCTON ST @ CHEERYHILL RD	X				2024-1074
3	3/13/2024	WED	810	W COSHOCTON ST @ BIGELOW DR	X				2024-1238
4	3/18/2024	MON	804	E COSHOCTON ST @ 8 N MAIN ST	X				2024-1198
5	3/20/2024	WED	1428	E COSHOCTON ST @ 35		X			2024-1244
6	3/24/2024	SUN	1306	W COSHOCTON ST @ 296	X				2024-1335
7	3/29/2024	FRI	1226	E COSHCOTON ST @ N MAIN ST	X				2024-1437
7					6	1	0	0	

2024 ACCIDENT STATS

	DATE	DAY	TIME	LOCATION	NON INJURY	INJURY	UNOCCUPIED	HIT SKIP	CAD #
1	4/1/2024	MON	658	E COSHOCTON ST @ 425	X			X	2024-1482
2	4/5/2024	FRI	1635	W COSHOCTON ST @ S WILLIAMS ST	X				2024-1571
3	4/7/2024	SUN	1649	W COSHOCTON ST @ CLARK DR	X				2024-1609
4	4/8/2024	MON	1522	73 S WILLIAMS ST		X			2024-1628
5	4/13/2024	SAT	1613	W COSHOCTON ST @ 580	X				2024-1743
6	4/17/2024	WED	1402	W COSHOCTON ST @ N OREGON ST	X				2024-1834
7	4/20/2024	SAT	1925	W COSHOCTON ST @ S MAIN ST	X				2024-1896
8	4/27/2024	SAT	1738	MIDDLEBURN ST @ 319			X	X	2024-1992
8					6	1	1	2	
1	5/7/2024	TUES	657	S OREGON ST @ W JERSEY ST		X			2024-2171
2	5/12/2024	SUN	1030	S MAIN ST @ 241	X				2024-2274
3	5/15/2024	WED	1535	W COSHOCTON ST @ BIGELOW DR	X				2024-2346
4	5/19/2024	SUN	1830	E COSHOCTON ST @ 80		X			2024-2457
5	5/20/2024	MON	1420	S MAIN ST @ W JERSEY ST	X				2024-2469
6	5/21/2024	TUES	1347	E PRATT ST @ TRACK ST	X				2024-2490
7	5/21/2024	TUES	1442	N WILLIAMS ST @ W COSHOCTON ST	X				2024-2492
8	5/23/2024	THUR	1739	W COSHOCTON ST @ CLARK DR	X				2024-2525
9	5/25/2024	SAT	1031	N MAIN ST @ E COSHOCTON ST	X				2024-2546
10	5/31/2024	FRI	1816	W COSHOCTON ST @ MAIN ST	X				2024-2651
10					8	2	0	0	
1	6/1/2024	SAT	1120	W COSHOCTON ST @ 370	X				2024-2660
2	6/11/2024	TUES	1337	W COSHOCTON ST @ WESTVIEW DR	X				2024-2841
3	6/13/2024	THUR	805	E COSHOCTON ST @ POST OFC ALLEY	X				2024-2882
4	6/14/2024	FRI	1000	W COSHOCTON ST @ 670	X				2024-2899
5	6/19/2024	WED	1720	W COSHOCTON ST @ 8	X				2024-3033
6	6/21/2024	FRI	1616	W COSHOCTON ST @ 907	X				2024-3077
7	6/21/2024	FRI	2049	PHALEN PL @ S WILLIAMS ST			X	X	2024-2030
8	6/28/2024	FRI	1831	N MAIN ST @ W COSHOCTON ST	X				2024-3198
8					7	0	1	1	
48				2024 TOTALS	41	4	3	7	

- The month of June the Police Department worked with the Street Department and the Zoning Department to clear visual obstructions. Obstructions were cleared at intersections within the City roadways or where low-hanging branches created a visual obstruction for City signage.



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

WHEREAS, on July 9, 2024 the Planning and Zoning Commission recommended approval as written; 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 / TABLED

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: July 2, 2024 TABLED

Public Hearing:

Effective Date:

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law



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 TABLED

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law



RESOLUTION 2024-29

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO MOVE FORWARD WITH
PLANS FOR WATER TREATMENT PLANT EXPANSION**

WHEREAS, the City of Johnstown desires to expand its current one million gallon per day water treatment plant facility; and

WHEREAS, City Council directs the City Manager to move forward with plans for a two million gallon (2mgd) water treatment plant expansion project with an estimated cost of \$34 million dollars with a twenty percent contingency; and

NOW, THEREFORE, Be it resolved by the City of Johnstown:

SECTION 1. That the City Manager is hereby authorized to move forward with plans for a two million gallon (2mgd) water treatment plant expansion, with an estimated cost of \$34 million dollars with a twenty percent contingency.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 of the CITY OF JOHNSTOWN.

Date of Introduction/Public Hearing/Vote: July 15, 2024

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



ORDINANCE 18-2024

**AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY PD DISTRICT MAP BY
ADDING TWO PARCELS TOTALING $\pm$ 9.0 ACRES TO SUBAREA ONE OF THE PD
DISTRICT.**

WHEREAS, the Johnstown Gateway PD District is a zoning district of the City of Johnstown governed by Chapter 1165 of the Codified Ordinances of the City of Johnstown; and

WHEREAS, Section 1165.01 of the Codified Ordinances of the City of Johnstown defines eligibility for applications to include properties in a PD District; and

WHEREAS, Section 1165.06 of the Codified Ordinances of the City of Johnstown defines the process for applications to amend existing PD Districts; and

WHEREAS, the Johnstown Land Company, LLC, owner and applicant for the Johnstown Gateway PD District, has filed an application, attached hereto as **Exhibit A**, to include two additional properties, to be designated as Johnstown Gateway PD District Subarea 1-A and Subarea 1-B, and totaling $\pm$ 9.0 acres, to the Johnstown Gateway PD District; and

WHEREAS, the properties are eligible for addition to the existing PD District under Section 1165.01 of the Codified Ordinances of the City of Johnstown; and

WHEREAS, pursuant to Section 1165.06 of the Codified Ordinances of the City of Johnstown, the Planning and Zoning Commission on June 25, 2024, voted to recommend approval of the application subject to certain conditions; and

WHEREAS, the application was transmitted to City Council and notice of public hearing was given in accordance with Section 1165.06 of the Codified Ordinances of the City of Johnstown;

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

Section 1: Acceptance of Planning and Zoning Commission Recommendation and Approval of Application. City Council hereby accepts the recommendation of the Planning and Zoning Commission and approves the application to rezone the properties further described in **Exhibit B** and **Exhibit C** of this Ordinance to the Johnstown Gateway PD District, subject to the conditions recommended by the Planning and Zoning Commission and as further set forth in Section 2 of this Ordinance.

Section 2: Condition of Approval. The approval of the application is subject to the following conditions, as recommended by the Planning and Zoning Commission and as further required by City Council:

1. That the applicant will prepare and provide a full PD District text and supporting documents as amended for the City to keep on file, prior to the submittal of a final development plan application for the new Sub Areas 1-A and 1-B.

Section 3. Zoning Map. The Zoning Map of the City of Johnstown shall be revised to reflect the amendment approved by this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect at the earliest date allowed by law.

Date of Introduction: July 15, 2024
Public Hearing/Vote: August 6, 2024
Effective Date:

By: _____

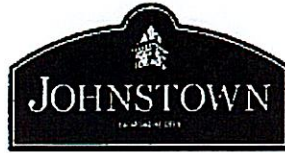
Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law



PD MAP AMENDMENT PERMIT APPLICATION: 1165

Application Number: 6-25-1 Date: 6, 25, 24

FEES:

Number of Certified Letters to Contiguous Property Owners: _____ @ \$8.53 Total: \$ _____

Newspaper Advertising Expense: \$ _____ & Applicable acres: _____ @ \$10 per acre: \$ _____

Application Fee: \$600

Total Fee Amount: \$ 1800.00 Paid: Check # 61456 / Cash: _____

(PLEASE PRINT)

Applicant's Name: The Johnstown Land Company LLC Phone: (614) 335-9320

Mailing Address: c/o Underhill + Hodge LLC
8000 Walton Pkwy, Suite 260 City: New Albany State: OH Zip: 43054

E-mail Address: aaron@uhlmanfirm.com Zoning District: AG Proposed District: PD

Property Address: 5206 and 5230 Clover Valley Rd.; 12017 Johnstown, Ohio 43031
Duncan Plains Rd.

Business name: N/A

Description of the property to which Amendment would apply if enacted: Licking County

Auditor Parcel Nos. 052-176178-00.000, 052-172752-00.003, and
052-172752-00.004

Proposed Zoning District: PD

Present use of property: Three single-family homes

IN ADDITION, THE FOLLOWING ITEMS MUST ACCOMPANY THIS APPLICATION:

1. Attach a Legal Description.
2. Attach a separate list of property owner's names and addresses contiguous to and directly across the streets(s) from the property for which the Non-Conforming use is proposed or desired and the mailing addresses of all such persons.
3. Attach a vicinity map that shows the property lines, streets, existing and proposed.

ORD 18-2024
Exhibit B

Legal Description – Subarea 1-A

4.0± ACRES

FROM: MONROE TOWNSHIP

TO: CITY OF JOHNSTOWN

Situated in the State of Ohio, County of Licking, Township of Monroe, in Section 23, Quarter Township 3, Township 3, Range 15, United States Military District, being comprised of all of the following tracts of land: that 2.00 acre tract conveyed to Michael A. Signoracci Jr. and Elizabeth L. Signoracci by deed of record in Instrument Number 201709130019537, and that 2.00 acre tract conveyed to Laurie Turner and William Turner by deed of record in Instrument Number 201908190017148 (all references refer to the records of the Recorder's Office, Licking County, Ohio), and more particularly bounded and described as follows:

Beginning, for reference, at the centerline intersection of Green Chapel Road (T.R. 63) and Clover Valley Road (C.R. 26);

Thence North 03° 31' 24" East, with the centerline of said Clover Valley Road, a distance of 1375.20 feet to a point;

Thence North 03° 08' 54" East, with said centerline and with the existing City of Johnstown corporation line (Resolution Number 2023-30, of record in Instrument Number 202401250001407), a distance of 801.17 feet to the northwesterly corner of that 5.133 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202312050022158, the TRUE POINT OF BEGINNING for this description;

Thence North 03° 08' 54" East, with said centerline and said corporation line, a distance of 349.78 feet to a southwesterly corner of that 107.577 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202312050022155;

Thence with the boundary of said 107.577 acre tract and said corporation line, the following courses and distances:

South 82° 23' 34" East, a distance of 213.51 feet to a point;

South 89° 53' 22" East, a distance of 304.96 feet to a point;

South 03° 06' 36" West, a distance of 174.77 feet to a point;

North 86° 48' 12" West, a distance of 25.33 feet to a point; and

South 03° 06' 36" West, a distance of 175.00 feet to a point in the northerly line of said 5.133 acre tract;

Thence North 86° 48' 12" West, with said northerly line, a distance of 492.30 feet to the TRUE POINT OF BEGINNING, containing 4.0 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

31 JAN 24

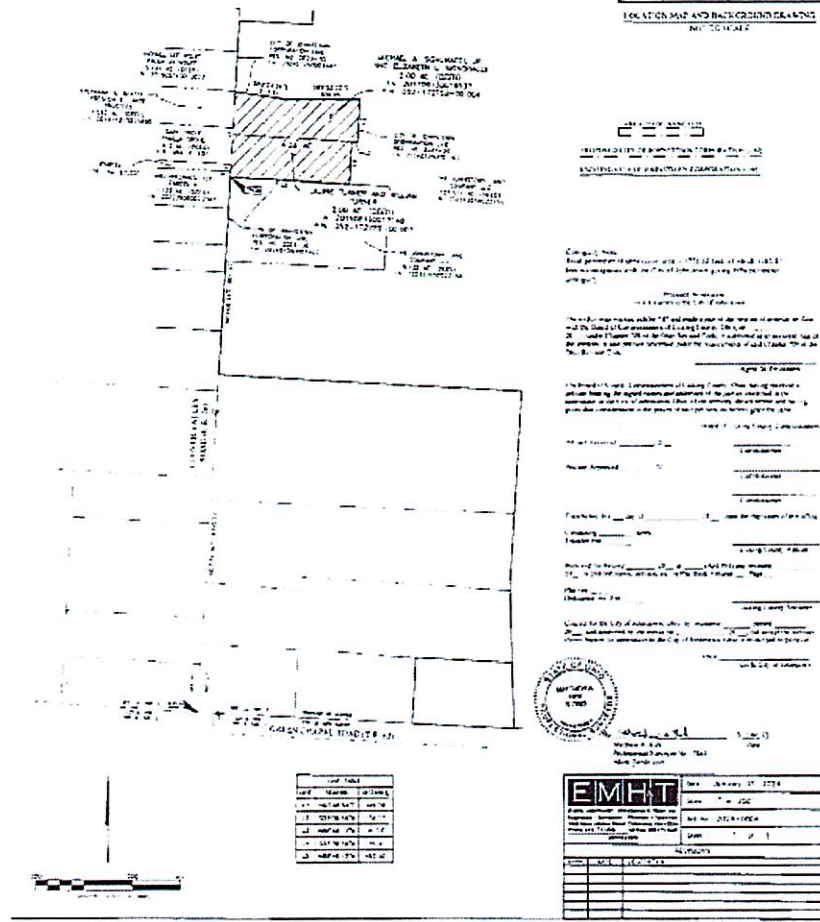
Matthew A. Kirk
Professional Surveyor No. 7865

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Subarea Map Page 1 of 2

Subarea 1-A



Signoracci, Turner

ORD 18-2024
Exhibit C

Legal Description – Subarea 1-B

5.0 ± ACRES

FROM: MONROE TOWNSHIP

TO: CITY OF JOHNSTOWN

Situated in the State of Ohio, County of Licking, Township of Monroe, in Section 23, Quarter Township 3, Township 3, Range 15, United States Military District, being all of that 5 acre tract conveyed to Martin V. Hamparian and Lora K. Hamparian by deed of record in Official Record 806, Page 315 (all references refer to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of said 5 acre tract, the northwesterly corner of that 2.063 acre tract conveyed to Scott D. Crabtree and Tricia J. Crabtree by deed of record in Instrument Number 201707130014745, in the centerline of Duncan Plains Road;

Thence South 02° 54' 22" West, partly with the westerly line of said 2.063 acre tract, partly with a westerly line of that 50.912 acre tract conveyed as Parcel II to West Licking Properties LLC by deed of record in Instrument Number 202302240003314, and partly with the existing City of Johnstown corporation line, as established by Ordinance Number 15-05, of record in Instrument Number 200606070016275, a distance of 910.67 feet to a point;

Thence with the boundary of said Parcel II and said corporation line, the following courses and distances:

North 87° 05' 24" West, a distance of 225.05 feet to a point; and

North 02° 54' 22" East, a distance of 1024.88 feet to a point in the centerline of said Duncan Plains Road;

Thence South 60° 11' 00" East, with said centerline, a distance of 252.37 feet to the POINT OF BEGINNING, containing 5.0 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

30 MAY 23

Matthew A. Kirk
Professional Surveyor No. 7865

HLK M
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[illegible]

Kamparian