



Regular Council
Tuesday, August 6, 2024 - 6:30 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for August 6, 2024 at 6:34 PM.

2. Roll Call

Present - Mayor Donald Barnard, Tiffany Hollis, Ryan Green, Dave Selan, Jeff Barr, Bob Orsini

Absent - Wesley Kobel

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

Public present - Nick Hubbell, Terri Feters, Mike Sileargy, Mindi Holbrook, Nick Shaner, Greg Stype, Patrick Morse, Jamie McNally

3. Invocation - Pastor Nick Shaner, Johnstown Shepherd Church

4. Pledge of Allegiance

5. Approval of Agenda

One change to the agenda; removal of item sixteen Executive Session.

ACTION: Dave Selan moved to approve as amended, with omission of item sixteen; Tiffany Hollis seconded and all were in favor.

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

NOES: None

ABSTAIN: None

Passed 6 - 0

6. Action on Minutes

a. July 15, 2024

ACTION: Bob Orsini moved to approve as written; Dave Selan seconded and all were in favor.

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

NOES: None

ABSTAIN: None

Passed 6 – 0

7. Citizen comments on matters not on the agenda

No comments

8. Council Committee reports

a. **Planning & Zoning:** 7/23/24 canceled; Next 8/13/24 @ 6:30 pm Council Chambers

b. **Design Review Board:** Met 7/23/24; Next 8/13/24 @ 5:00 pm Council Chambers

The board considered four applications and tabled all four for various information needed. All will be back on the next agenda with updated materials.

c. **Finance:** 8/6/24; Next 8/20/24 @ 4:30 pm Council Chambers

Continued discussion on an Economic Assistance Credit in conjunction with the proposed income tax reform. It will be a refund/rebate of \$250 for individuals who make \$20,000 - \$75,000 that live and work in the City of Johnstown. There will be an application process which would include submission of their RITA tax return. Ms. Hollis said the thought process behind this is to assist residents for whom a tax increase would be detrimental to their household, they hope to offset that and still collect the tax from larger companies coming in. Mayor Barnard said this is a way to help those in our town who this tax will unfairly hit the hardest. This assistance program would start in 2025 so people could apply in 2026 if the tax passes. Ms. Hollis said that if council decides to move forward with this, they will get literature out to explain exactly how it will work and who could benefit from this process. Mayor Barnard said he would make a motion to move forward with this plan, they can have the legal team work on the actual details and get it into a resolution. This program will have a sunset period of five years, they did that so the next council can decide whether or not to continue this program. This program is also contingent on passage of the tax reform.

ACTION: Mayor Barnard moved to approve moving forward with a resolution for an economic assistance program as stated by Ms. Hollis; Tiffany Hollis seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 6 - 0

d. **Safety & Service:** 8/6/24; Next 9/3/24 @ 5:30 pm Council Chambers

Talked about the city road grading and mapping progress, they will have an accurate presentation on the status of roads and their priority level for repair. Discussed truck traffic on Jersey and Saratoga and no through truck signage, the signs are up. Discussion on mapping of city utilities as well as the sidewalks in the Leafy Dell apartment area, school is starting soon and there are some repairs happening.

9. Director Reports

a. Water & Sewer Departments

Reports included with the published packet; no questions asked by council.

b. Service Director

Report included in the published packet; Jack Liggett highlighted items.

School crossing flashing lights are being set in anticipation of school starting.
Mayor Barnard said that the school PTO would like to start a school crosswalk program.
They are looking at organizations who have members that might be willing to help and make crossing for school children safer.

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

Nothing new from the applicant, this will remain tabled.

11. Tabled Legislation

- a. **ORDINANCE 17-2024** AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY. Tabled July 2, 2024

Mayor Barnard said council put a moratorium on dispensaries until December 31, 2024, this will also remain tabled for Planning and Zoning review.

- b. **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

This also remains tabled for Planning and Zoning review.

12. Public Hearings 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

Second reading. Jamie McNally, present for the applicant, Johnstown Land Company, said that the concept is to add nine acres to the existing Sub-Area 1 of the Planned Development. It would be the same owner and the same use as Sub-Area 1, and the goal is to round out the "missing teeth".

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

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

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

NOES: None

ABSTAIN: None

Passed 6 - 0

- b. **ORDINANCE 19-2024** AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY TAX INCREMENT FINANCING AREA TO ADD APPROXIMATELY +/- 9 ACRES TO THAT AREA, AND DECLARING AN EMERGENCY

This is the same nine acres. They have been annexed and zoned and are now a part of Sub-Area 1. This adds them to the TIF district.

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

ACTION: Bob Orsini moved to declare Ordinance 19-2024 an emergency and

waive the second reading; Tiffany Hollis seconded and the vote was as follows:

AYES: Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Jeff Barr
NOES: None
ABSTAIN: None

Passed 6 - 0

ACTION: Bob Orsini moved to pass Ordinance 19-2024; Tiffany Hollis seconded and the vote was as follows:

AYES: Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Jeff Barr
NOES: None
ABSTAIN: None

Passed 6 - 0

- c. **RESOLUTION 2024-30** A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON MEDICAL AND ADULT-USE CANABIS DISPENSARIES IN THE CITY OF JOHNSTOWN
At the last meeting, Council voted in favor of putting a moratorium on medical and adult-use cannabis dispensaries in the City of Johnstown until December 31, 2024 in order to do needed research. This legislation is a duplicate of what was voted for on July 15, 2024.

Mr. Green said he thinks there does need to be some research on this; does he think anyone is going to show up with one tomorrow, not at all, he does not know if a moratorium is needed, but glad they have the option and it won't be the end of the discussion, it can pick back up in December.

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

ACTION: Donald Barnard moved to move forward with resolution 2024-30 as written; Dave Selan seconded and the vote was as follows:
AYES: Donald Barnard, Dave Selan, Bob Orsini
NOES: Jeff Barr, Ryan Green, Tiffany Hollis
ABSTAIN: None

Failed 3 - 3

13. Introduction of Legislation - None

14. Other Business

- a. Greater Johnstown Park & Rec proposal
Council member review and edits to a proposal received by the School Board for the Greater Johnstown Park and Rec District (GJPRD). After review, Mayor Barnard said he would type up for review with the School District Liaison Committee. Staff to work on scheduling a follow up meeting with representatives from the city, JYAA, school district and

the GJPRD.

- b. Creation of a Township Liaison Committee discussion
Discussion on creating a new standing council committee, to begin meeting with the four townships of St. Albans, Liberty, Monroe and Jersey as needed to touch base and keep lines of communication open for the greater Johnstown area. Clerk to prepare legislation for next meeting to appoint three council members.
- c. NCA Board appointment discussion
City Council needs to appoint four members to the NCA board, discussion on some options for appointees, they do not need to be residents of Johnstown. After appointment, this board will meet to establish bylaws and operational procedures. Greg Stype said that the NCA board is a seven member board of trustees, its responsibility is to implement the Charter of the New Community Authority, which is the petition previously approved for the creation of the Authority, the infrastructure and joint agreements it is going to pursue, the funding methods, including its community development charge. Four of the members are appointed by the City Council, three members are appointed by the developer. The members ultimately settle into overlapping two-year terms but to get to that, some of the initial members will have one-year terms. Mr. Stype said that it would be helpful to choose members with some knowledge of government, contracting and with knowledge of finance, they will enforce the charter of the NCA. Council would like to discuss process and appointments in Executive Session.
- d. Other
 - 1. Mayor Barnard said that Frank Cea and his media group are starting to ramp up, we will see more activity from them on social media, they are preparing a newsletter. Desire expressed for other council members to meet with Mr. Cea on a regular basis.
 - 2. Mayor Barnard asked for fellow member interest on "walking audits" previously discussed.
 - 3. Mr. Green asked where they were at with a historic design overlay. Mr. Staneart said they are waiting on the MKSK proposal for design guidelines.
 - 4. Ms. Hollis asked what was being done regarding the Flying Iron Axe property zoning; that the Pet Authority dog grooming business wanted to move into the building but were told it was zoned residential. Mr. Staneart provided background on the split zoning that exists on the parcel and options to fix it.
 - 5. Mr. Staneart updated council members on some communication from Brightspeed's attorney challenging the city's refusal to allow for installation of fiber within the right-of-way. Discussion on council's desire for new utility infrastructure to be underground. City legal counsel is reviewing and will have a future update in executive session for council members.
 - 6. Mr. Staneart said that before transitioning to MORPC as our planning agency relating to transportation, he is checking on a current project that is in the works with LCATS, the Leafy Dell traffic signal. He has gotten some communication back from ODOT and LCATS signaling that they would cover right-of-way costs but not construction cost. There was a pretty significant grant awarded to the city, right now he is looking at a \$953,000 construction cost that LCATS is providing, he wants to dig into that, it may be at stake, LCATS indicated that if the city switched to MORPC, they may not follow through with that contribution so his next question to MORPC is if they would facilitate and fund the project. If not, he would recommend waiting on the transition to MORPC.
 - 7. Mr. Staneart said that as they are working through JAG, they had an initial meeting with the Ohio EPA, there has been discussion about a lobbyist, council will see a proposal for the option.

8. Mayor Barnard updated on events:

- The Hartford Fair is going on this week, he and Ms. Hollis will attend a breakfast they were invited to on the 8th.
- The Chamber of Commerce has invited council members and all citizens of Johnstown to attend Lynd's Fruit Farm on the 13th, 10-noon to witness the last super load traveling to Intel. There will be a lot of activities for kids.
- The New Albany walking classic is coming up, their chamber has invited anyone to walk

9. Mr. Orsini asked if there was an appetite to add an emergency executive session to discuss NCA Board appointees tonight. If so, they will need to waive their rules of council to do so.

10. Mr. Selan updated that the JYAA coach-pitch Allstars won the first annual Johnstown Classic tournament.

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

ACTION: Donald Barnard moved to waive the council rule on 24 hour notice to council for executive session; Dave Selan seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 6 - 0

ACTION: Donald Barnard moved to enter executive sessions to consider the employment of a public employee, and to consider the appointment of a public official, with the six council members present; Tiffany Hollis seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 6 - 0

No business to follow. Council entered Executive Session at 8:10 pm and returned to Regular Session at 9:41 pm.

16. Executive Session - STRUCK FROM AGENDA

17. Adjourn

With no further business, the meeting adjourned at 9:41 pm.