Regular Council
Tuesday, September 3, 2024 - 6:30 PM
MINUTES

1. Call to Order
   Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for September 3, 2024 at 6:43 PM.
2. Roll Call
   Present - Mayor Donald Barnard, Tiffany Hollis, Ryan Green, Wesley Kobel, Dave Selan, Bob Orsini
   Absent - Jeff Barr

   Staff present - Sean Staneart - City Manager, Dave Delande - Finance Director, Rusty Smart - Chief of Police, Benjamin Lee - Planning & Zoning Commission, Steve Samuels - Frost Brown Todd, Teresa Monroe - Clerk of Council

   Public present - Nick Hubbell, Kyle May, Ben Lee, Greg Stype, Jamie McNally, Aaron Underhill, Steve Samuels
3. Invocation
   Mayor Donald Barnard
4. Pledge of Allegiance

5. Approval of Agenda
   No changes to the agenda.

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

Passed 6 - 0

6. Citizen comments on matters not on the agenda
   No comments
7. MKSK Design Guidelines Proposal

   a. Proposal
   Kyle May with MKSK was present to review their proposal for the creation of overarching design guidelines for the city of Johnstown. Kyle said what this does, in pictures, in words, in sentiments, will try to fold in some of the fundamental argument for what works in Johnstown and give a clear backstop as decisions are being made. It begins to eliminate some of the decision by decision subjectivity that may come in to these development

processes.

The proposed cost for the design guidelines is $82,500.00. Sean Staneart said if this is something council desires to start on now, there are funds appropriated for this proposal. Mayor Barnard said he would like this to go to Finance committee to ensure there is enough appropriated and then review at the next council meeting.

8. Council Committee reports

   a. **Planning & Zoning:** 8/27/24 canceled; Next 9/10/24 @ 6:30 pm Council Chambers

   b. **Design Review Board:** Met 8/27/24; Next 9/10/24 @ 5:00 pm Council Chambers
   Sean Staneart said they reviewed the fact that council would be reviewing the design guidelines proposal, they were excited to hear that. A COA was heard for a house in Rolling Meadows and a question was brought up for which legal counsel is reviewing.

   c. **Finance:** 9/3/24; Next 9/17/24 @ 5:00 pm council chambers
   The Tech Rubber expansion project was discussed. In late 2023 or early 2024 an access road was discussed since the US62/Sportsmans Club Road roundabout was removed as a project. Tech said that costs have gone up since the original discussion, the city has asked for details so they know what they are working with, this is a commitment of sorts from before and the committee wants to get final details in before bringing to council for final approval. Also discussed was the "drain" installed at the Dog Park to move some of the standing water away from the area, the cost was $12,000 and wasn't something outside of the budget so finance committee said they were ok spending it. Additionally, the Finance Director has committed to having a budget schedule ready for review at the next meeting and the refuse contract will be going out to bid by year end.

   d. **Safety & Service:** 9/3/24; Next 10/1/24 @ 5:30 pm council chambers
   Committee discussed the Concord Crossing water shed study, no through trucks signage and a Main Street bump out area.

9. Director Reports
   Reports included with the packet, no discussion or questions asked.

   a. Service Departments: Water, Sewer, Street

   b. Service Director

10. Council decision on Zoning Map Amendment - TABLED June 18, 2024
    The applicant requests that this remain tabled.

11. Tabled Legislation

    a. **<u>RESOLUTION 2024-31</u>** RESOLUTION TO CREATE THE TOWNSHIP LIAISON COMMITTEE AND APPOINT MEMBERS

ACTION:	Dave Selan moved to remove from the table; Tiffany Hollis seconded and all were in favor.
AYES:	Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini
NOES:	None

ABSTAIN: None

Passed 6 - 0

Dave Selan, Tiffany Hollis, Ryan Green and Wes Kobel were all interested in being appointed to this committee. Discussion on who to appoint and making the fourth an alternate.

ACTION: Donald Barnard moved to appoint Tiffany, Wes and Dave to the newly created township committee, and Ryan as an alternate; Bob Orsini seconded and the vote was as follows:
AYES: Mayor Barnard, Wesley Kobel, Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis
NOES: None
ABSTAIN: None

Passed 6 - 0

12. Public Hearings of Legislation

a. **ORDINANCE 21-2024** AN ORDINANCE TO ACCEPT CONVEYANCE OF RIGHT-OF-WAY, AND UTILITY AND STREETSCAPE EASEMENTS, ALONG DUNCAN PLAINS AND CLOVER VALLEY ROAD.
Sean Staneart said there was a question previously relating to the responsibility for easements and rights of way; that has been addressed. He said it specifically states "improvements" which would reference water and sewer lines, or if we put in a multi-use trail etc., it doesn't obligate us to maintain the grass, we didn't put the grass in, it was already there. This allows us to have access to the improvements that the city does. The subsections of that have to do with utilities specifically, this is intended to allow us to go in and dig into soil, work on water or sewer lines or other equipment without having to get permission.

Jamie McNally with Johnstown Land Company said that was correct, it is worded that the city would only be maintaining the improvements it chose to put in the easement area, the city would not be responsible for existing conditions.

Mr. Staneart said he was comfortable with the document language.

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

ACTION: Bob Orsini moved to approve ordinance 21-2024; Wesley Kobel seconded and the vote was as follows:
AYES: Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel
NOES: None
ABSTAIN: None

Passed 6 - 0

b. **ORDINANCE 22-2024** AN ORDINANCE TO REALIGN PERMANENT APPROPRIATIONS BY MODIFYING APPROPRIATIONS FROM ONE ACCOUNT TO ANOTHER WITHIN THE FUND AND AMENDING ORDINANCE 24-2023, TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

Second reading. Mr. Staneart said that some of this is maneuvering money associated with accounting, they have hired a Finance Assistant and no longer use Integrity. The other pieces are appropriating additional funds for legal fees relating to water and sewer, regarding the planning and territorial efforts, as well as a lobbyist, and the proposal for the utility planning area by EMH&T. Mr. Delande added that funds are also being appropriated for the water plant expansion. The funds were in there but not appropriated.

Ms. Hollis asked if they had to have this all lumped into one, because she was very uncomfortable. Review and discussion on line items. Mr. Green said he has no issue with items previously discussed, but the additional items maybe should be on their own. Finance Director Dave Delande said that the total amount for the lobbyist, legal for water and sewer, and EMH&T comes to asking for an additional $96,000.00. Bob Orsini said discussions in finance were that if they were going to continue to position themselves with the water district JAG, offense and defense, they would need necessary pieces in place. He said obviously we need to keep the attorney involved if they are going to continue; for EMH&T and the feasibility study, if they plan to get the EPA or other government entities on board, they are going to want to see real studies, real facts, real feasibility things that say yes, you can actually do what you are projecting as an idea. Lastly, he said the lobbyist is going to help us have conversations with folks that we wouldn't necessarily have, a lot of these decisions are made at higher levels that may not have touch points with our team. The obligation for the lobbyist would be no more than $12,000. Mr. Delande said that the city has already invested quite a bit of money to get to this point, if the brakes are put on now, it will pretty much put the brakes on whatever the city has spent to date. Ms. Hollis asked if they could separate out the Integrity and Financial Assistant piece; Mr. Delande reviewed all realignment items. Mr. Green said he thinks they should separate out the new appropriation. Mr. Orsini said the way he views this is that the initiative for the regional approach to water is big. He said he thinks we have invested time and that we are getting traction, things are starting to move our way. To pull up now would be to essentially eliminate or let go of what we have spent already. He said he believes we have to have the attorney, and without the feasibility study, it will seriously limit our ability to have real conversations with the managing funding entities around the state. Ms. Hollis said her issue is that she said she was going to commit to no new spending because they have a tax initiative on the table; so her vote would be no on this except for the realignments. She said she also would need to see something in writing for the commitment by Granville or some concrete evidence that we are moving forward with that because as of right now it has just been in conversation, but her vote is going to be no on it. Mr. Orsini said he wants to be proactive on both offensive and defensive tactics to ensure that we have as much control as possible as development grows up around this town, and if that means spending a few dollars today, to prevent what could happen in the future, he has not hit a threshold where he does not think it is worth it yet, because the alternative is development that we don't have input in and the efforts we make today are keeping us at the negotiation table with all parties involved. Without these efforts, he thinks we will be sitting back watching things happen. Ms. Hollis said she disagrees.

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

ACTION: Dave Selan moved to pass ordinance 22-2024 as written; Donald

Barnard seconded and the vote was as follows:

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

Passed 4 - 2

c. **RESOLUTION 2024-33** A RESOLUTION ACCEPTING AN ANNEXATION OF 11.2 +/- ACRES, MORE OR LESS, FROM MONROE TOWNSHIP, LICKING COUNTY TO THE CITY OF JOHNSTOWN

Aaron Underhill, agent for the petitioners, was present and said they continue to take opportunities on the perimeter of the PD District to try to acquire land so they can make it a part of that district. This accepts the annexation of the land, and the land in the next resolution into the city, they have not started the zoning process with these yet, but they will do that in the coming months.

Mayor Barnard said since the next resolution is the same, did Mr. Underhill want to speak about that one. Mr. Underhill said it is the same concept there, these are both along Green Chapel Road, and a determination will be made as to what they will zone those in to at a later date, and which sub-area.

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

ACTION:	Dave Selan moved to pass resolution 2024-33 as written; Wesley Kobel seconded and the vote was as follows:
AYES:	Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Bob Orsini
NOES:	None
ABSTAIN:	None

Passed 6 - 0

d. **RESOLUTION 2024-34** A RESOLUTION ACCEPTING AN ANNEXATION OF 6.5 +/- ACRES, MORE OR LESS, FROM MONROE TOWNSHIP, LICKING COUNTY TO THE CITY OF JOHNSTOWN

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

ACTION:	Dave Selan moved to pass resolution 2024-34 as written; Wesley Kobel seconded and the vote was as follows:
AYES:	Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Bob Orsini
NOES:	None
ABSTAIN:	None

Passed 6 - 0

13. Introduction of Legislation

a. **ORDINANCE 23-2024** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT AND A MEMORANDUM OF UNDERSTANDING FOR THE INNOVATION PARK DATA CENTER CAMPUS AND DECLARING IT AN EMERGENCY.

Greg Stype was present for the legislation and said as indicated by the agenda, this is for introduction only tonight. He said they have been following this path of setting up the Community Reinvestment Area (CRA) and that last time he was with council, they added the final nine acres to the CRA. All of that in anticipation of having a real estate transaction that would lead to a major development of that area. Mr. Stype said since council prefers to have legislation heard at two meetings in succession, this is the first reading of a piece of legislation that, if passed by council, would subsequently authorize a real property tax abatement with minimum payment provisions for about one hundred and fifty-four acres in that area. Jamie McNally said this is for a site within sub-area one.

Second reading September 17, 2024

14. Other Business

Mayor Barnard called for a five-minute recess.

1. Mayor Barnard said in an effort to create better communication with residents, a few council members met with Cea Media earlier this year. The first item discussed was a quarterly newsletter to be sent out with the city water bills. The first one would be the largest at four pages, the cost would be $833.00, not to exceed $950.00. If they choose to continue this, future issues for two pages would be $483.00. Mr. Barnard said they do have the $833.00 in the budget for this year. The first one would go out in the October 2024 water bill. There was no objection from the council.
2. Ms. Hollis said there has been progress made with the school to extend the parks and rec beyond the terms currently set.
3. Mr. Green highlighted some activities around town.
4. Mr. Selan said they are still taking interest letters for the Greater Johnstown Park and Rec District board, deadline is September 14th, info on the Johnstown city Facebook page.
5. Ben Lee addressed council and said Johnstown has been his home for thirty years, he has been part of this council, Mayor for two terms, and has been on many committees. He said after thirty years, his family is moving, he thanked residents for the opportunity to serve and said as a member of the Planning & Zoning Commission, his resignation would be effective at the conclusion of the next meeting, September 10, 2024 or if cancelled, at 11:59 pm whichever comes first. The term for the seat he is currently holding expires December 31, 2025. He said he appreciates the variety of opportunities he has been afforded in his time here. As for the fireworks event that has been under his purview, Dave Selan and Jon Merriman have said that they will help continue the tradition, they will have a meeting soon to formally hand over responsibilities to ensure the fireworks continue and he would remain in an advisory capacity as much as he is able. Mayor Barnard said he thinks this town is a better place because of Mr. Lee and all he has done and his mark has been left with the fireworks event. Council members expressed kind words and appreciation to Mr. Lee and accepted his resignation. Sean Staneart added that the vacancy should be publicized and letters of interest sought. Mayor Barnard asked the Clerk of Council to post with a deadline of September 16th, and they will interview applicants at their next meeting on September 17th.

6. Mayor Barnard said there is an individual who does team building and leadership workshops that is willing to work for them pro bono and would like to see if council is interested, it would be a Thursday this month for three hours, he has worked with other organizations in Central Ohio and comes highly recommended. Mr. Selan asked if there was a prospectus he could send, Mr. Barnard said he would get that to them.

a. Set Trick-or-Treat Date/Time
After discussion, council set for October 31, 2024 6:00 pm - 7:30 pm.

15. Executive Session to discuss imminent court action

ACTION:	Donald Barnard moved to enter Executive Session to discuss imminent court action with council members, the City Manager, and City Attorney, with no action after the meeting; Dave Selan seconded and the vote was as follows:
AYES:	Mayor Barnard, Wesley Kobel, Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis
NOES:	None
ABSTAIN:	None

Passed 6 - 0

City Council entered Executive Session at 8:03 pm and returned to Regular Session at 8:54 pm.

16. Adjourn
With no further business, a motion to adjourn passed and the meeting ended at 8:54 pm.

Next Council Meeting September 17, 2024