



Regular Council
Wednesday, November 6, 2024 - 6:30 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for Wednesday, November 6, 2024 at 6:30 PM.

2. Roll Call

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

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, Marvin Block, Larry Shafer, John Neibarger, Mike & Lizzie Margolius, Nick Shaner, Nicole Shook, Jamie McNally

3. Invocation

Shepherd Church

4. Pledge of Allegiance

5. Approval of Agenda

No changes.

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

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

NOES: None

ABSTAIN: None

Passed 7 - 0

6. Action on Minutes

a. September 17, 2024

b. September 26, 2024 Special

c. October 1, 2024

d. October 15, 2024

ACTION: Dave Selan moved to approve September 17 and 26, October 1 and 15 en bloc; Wesley Kobel 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

e. October 17, 2024 Special

ACTION: Dave Selan moved to approve October 17; 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: Jeff Barr

Passed 6 - 0

7. Correspondence

a. Notice to Legislative Authority

The city has received a notice from the Ohio Department of Liquor Control that Posty's Drive Through is transferring their liquor license to the new owner and gives the opportunity to object by requesting a hearing. There was no objection or hearing requested.

8. Citizen comments on matters not on the agenda

1. Marvin Block

- Said watching the YouTube videos, he has observed several things of bullying. He was accused of this while on council and was asked to resign because he asked for somebody's address. He has come to ask the Mayor to resign tonight because of the bullying he has been doing in council meetings.
- Said he hasn't seen an audit for four years
- Said they don't come to meetings very much because there are so many Executive Sessions
- Said that Sean did answer his questions, except for the \$400,000 spent on JAG
- Said they talk about the tight budget and asked if they were still spending \$12,000 per month on a lobbyist

Mayor Barnard asked Mr. Staneart to follow up with Marvin. Mr. Staneart said he did have a verbal conversation with Mr. Block that night, specifically about JAG, but he will put that in a memo as he did with the other questions and get that to him.

2. Elizabeth Margolius

- Said she is here on behalf of the Johnstown Deserves Better Committee. United we stand and divided we fall was the theme for Johnstown's tax reform issue that was on the ballot this past Tuesday. Johnstown Deserves Better is a citizen led group that consisted of ten wonderful volunteers who worked tirelessly since July to inform the citizens of Johnstown about a multitude of issues facing our city, as well as informing them of Ohio's complex taxing jurisdictions. She said that as the weeks went on, they met amazing citizens and engaged in a healthy and civil manor, but, one thing became abundantly clear, as they proceeded into their campaign, some members of our own city council were privately working behind the scenes to undermine their efforts. She said from gossip, to misinformation, threatening retaliation against volunteers and using other citizens to fight on their behalf, it was a losing battle for Johnstown Deserves

Better and its supporters. For the citizens of Johnstown, she said your voice and vote was heard, the defeat of the tax reform though, does not change the needs for Johnstown. Our growing community will need more police, better infrastructure, and a better park and rec system. They encourage citizens to get involved in solving these issues and that they expect more unity and collaboration from all seven council members in order to meet their needs and execute solutions.

9. Council Committee reports

- a. **Planning & Zoning:** Met 10/22/24; Next 11/12/24 @ 6:30 pm Council Chambers
Held a public hearing on a request to change the Light Manufacturing zoning district.
- b. **Design Review Board:** Met 10/22/24; Next 11/12/24 @ 5:30 pm Council Chambers
Approval of a pool demolition permit.
- c. **Finance:** 11/6/24; Next 11/19/24 @ 5:00 pm Council Chambers
Committee has one recommendation to council, renewal of the refuse contract with Local Waste. Mayor Barnard said they had asked for a five-year contract, they agreed with the stipulation that the first three years would be a ten percent increase and the last two would be a five percent increase so there would be a fifteen percent increase over five years, or three percent each year for five years. The proposed rate for 2025-2027 is \$18.78 and the proposed rate for 2028-2029 is \$19.72 per month; currently our rate is \$17.07. Council members in favor of renewal, clerk to prepare a resolution for next meeting.
- d. **Safety & Service:** 11/6/24; Next 12/3/24 @ 5:45 pm Council Chambers
Committee did not meet tonight, they yielded their time to Finance Committee to continue work on the budget.

Ryan Green said that Jack Liggett did have an item to discuss. Mr. Liggett said he has found an available truck to replace the older truck at the sewer department, however it is white not red, it would still get the city logo on the sides. The government concession is \$1,300 and because the dealership wants to move this 2024, they are giving a \$3,000 reduction in price. Mr. Liggett said instead of paying \$63,315 in 2025, they can get the truck now for \$59,100. Council was agreeable to purchase the white truck this year at the reduced cost.

10. Director Reports

- a. Service Departments: Water, Sewer, Streets/Service Director
Department reports attached; Jack Liggett highlighted items in his Director's report. Jeff Barr asked if city policy allowed service to rent or lease or loan the leak detection equipment to other cities, Jack said they absolutely could, they don't rent it but have shared equipment in times of need with other communities and can if anyone needs assistance. Jeff Barr said there has been very little activity on the Coughlin Apartment project and asked for a status. Mr. Stanearth said he would reach out to his contact for a timeline, there are certain provisions on the permits and can check on expiration dates.

11. Council decision on Zoning Map Amendment; Benedict Drive - TABLED June 18, 2024

- a. **ORDINANCE 28-2024** AN ORDINANCE TO ACCEPTING A ZONING MAP AMENDMENT
ACTION: Donald Barnard moved to move Ordinance 28-2024 from the table; Bob Orsini 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

Larry Shafer, an attorney in Johnstown, representing DNJS Investments, John Neubarger is one of the owners of that company. He said he became involved in this after the application had been through its hearing in Planning & Zoning where, due to a lack of full attendance, the recommendation to council did not carry with a 2-2 vote. There are currently two parcels with a narrow strip that runs along Benedict Drive, the request is to use those parcels to form three building parcels that would conform to SR-2 zoning. There was a lot of participation from neighbors giving feedback on the request, concerns noted were quality of housing and spacing etc. As a way to deal with that, the idea was put forth that if the owner would agree to subject those properties to the protective covenants and deed restrictions that all of the houses in Raccoon Creek Estates must comply to, that would be a way to ensure a quality product and that houses were built in such a way that it would fit in with the neighborhood and allow these vacant properties to be developed and used. The proposal is to create three building lots using the two that exist and portions of the strip, if the zoning is granted, after the effective date of the ordinance, the owner would have thirty days to record, applying the deed restrictions to these properties. Mr. Shafer explained the process, the City Law Director helped to draft the agreement and provided a memorandum to council. Mr. Neubarger answered council members questions on the lots and setbacks.

Mayor Barnard opened the floor to public comments:

1. Mike Margolius

- Lives in the Raccoon Creek Estates development. Asked if with the new homes, would the driveways be on the Benedict side or Buena Vista side, because of the precariousness of the slope.

Mr. Neubarger said Benedict, and he has had engineering tell him exactly where the driveways should be to meet sight line requirements.

ACTION: Donald Barnard moved to waive the second reading so this would be effective in thirty days; Tiffany Hollis seconded and the vote was as follows:
AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan
NOES: None
ABSTAIN: Bob Orsini; has a previous relationship with Mr. Shafer

Passed 6 - 0

ACTION: Jeff Barr moved to pass Ordinance 28-2024 as written; Tiffany Hollis seconded and the vote was as follows:
AYES: Jeff Barr, Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel
NOES: None
ABSTAIN: Bob Orsini; has a previous relationship with Mr. Shafer

Passed 6 - 0

12. Council decision on Zoning Map Amendment; 670 W. Coshocton Street

a. **ORDINANCE 29-2024** AN ORDINANCE TO ACCEPT A ZONING MAP AMENDMENT

The public hearing for the zoning request was held at the last meeting. This was initiated by the Planning & Zoning Commission, this is the old Coughlin dealership that currently has split zoning. Sean Staneart said that rezoning is not always the best case scenario, however with this, it literally splits the building in half and that is why there is a strong recommendation from staff to correct it.

Mr. Kobel asked if they know how many businesses are in there now, it seems like the sign has changed quite a bit, he was just curious. Mr. Staneart said that has been a bit of a revolving door recently, he went through the procedure for new business moving in.

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

ACTION: Donald Barnard moved to waive the second reading; Tiffany Hollis seconded and all were in favor.

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

NOES: None

ABSTAIN: None

Passed 7 - 0

ACTION: Jeff Barr moved to approve ordinance 29-2024 as written; Tiffany Hollis seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

13. Tabled Legislation - None

14. Public Hearings of Legislation

a. **RESOLUTION 2024-45** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS FOR THE CITY OF JOHNSTOWN, LICKING COUNTY, OHIO

This is a Resolution required annually by the county, the city is required to pay legal fees for anyone who is indigent and cannot pay for their legal defense in Johnstown.

ACTION: Jeff Barr moved to approve resolution 2024-45 as written; Bob Orsini 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

7 - 0

15. Introduction of Legislation - None

16. Other Business

1. Rules committee scheduled for November 19, 2024 at 6:00 pm to review an administrative policy for dedicating/naming roadways.
2. Ms. Hollis said that Trick-or-Treat was awesome this year, agreement that changing the date due to bad weather worked. Mr. Barnard suggestion that next year they set up an alternative date in case of bad weather so people can plan.
3. Sean Staneart provided some updates:
 - Has had discussion with Brightspeed on overhead lines versus underground, the area of emphasis was the downtown and desire to keep lines underground. He reviewed areas that they are willing to install underground. Said that he stressed to them that the city did not want to add any additional communication lines to the downtown poles, that it is our hope at some point to remove most of the downtown poles. They were agreeable to utilizing some underground conduit to access the back of the businesses and not adding additional fiber to the poles in the front. Mr. Staneart asked council members if there was any objection to moving forward, there was no objection. Mayor Barnard opened the floor for a comment requested: Marvin Block asked if they were aware of the conduit that runs in front of the Presbyterian Church that runs down to the new service station. Mr. Staneart said he does not have an inventory of their infrastructure, all he knows is the request was made and they said they could accommodate, how they do it is going to be on them.
 - MORPC estimates the Johnstown population has increased to 5,800.
 - Met with JYAA, council is aware of the ideas presented, hoping to get some feedback from them.
 - Kickoff meeting for the Design Review Regulations has been scheduled, hoping to have this adopted by April 25th.
 - TID meeting; they are working through area projects, had an extensive meeting last week for our specific area, some are in annexed areas and some are not.
 - The city has entered into an agreement with the Lobbyist for the JAG initiative, one of the recommendations was on branding, a new name has been given to JAG, the Municipal Utility Coalition of Licking County. There will be a press release tomorrow. There will also be a mission statement and website up and running as well.
 - Jack Liggett had an operators meeting where there was a plant tour given, he will also go to Southwest Licking's plant for a visit. Sean Staneart said at the last meeting, they discussed sending an email to Jim, the proposal to refine the scope of what should be discussed among the operators, giving them some questions for feedback. Mr. Staneart said with council's permission, he would like to send that so Jim can review and add or delete questions, and float the proposal that they can continue to operate in their space but with some guiderails associated with those conversations. He said he did not want

to send the email without the green light from council that it is action they want. Mr. Orsini said it sounds like constructive collaboration to him, Mr. Selan said he agreed and he thinks it is ok to send. There was no objection from any council members, Mr. Staneart said that he would send the email and update them on the feedback, he anticipates another operators meeting to answer the questions.

4. Ryan Green said he is happy to see the Design Guidelines moving forward, he knows they passed Resolution 2024-16 appointing the Design Review Board as the committee to go forward on that, he wanted to ensure they didn't have too large of a group working on this so it can move quickly. Mr. Staneart said that previous council direction was to appoint the DRB members but to also include those who applied to be on the steering committee in the process. There was no direction from council to change that.

5. Sean Staneart said that hot off information received today, he has an update for council on the sale or purchase of property if they desired to go into Executive Session, it should be brief. Council rules permit the City Manager to add an Executive Session without 24-hour notice for matters deemed as emergency. Mr. Staneart requested the Executive Session.

ACTION:	Bob Orsini moved to enter Executive Session to discuss the purchase or sale of real estate, with members of council and the City Manager; Jeff Barr seconded and the vote was as follows:
AYES:	Jeff Barr, Wesley Kobel, Dave Selan, Bob Orsini
NOES:	Ryan Green, Tiffany Hollis, Donald Barnard
ABSTAIN:	None

Passed 4 - 3

*Prior to entering the session, Mayor Barnard called for a five-minute recess, so the clerk could check a council rule on the vote.

Council entered into Executive Session at 7:30 pm and returned to Regular Session at 8:25 pm.

17. Adjourn

With no further business, a motion carried to adjourn the meeting.

The meeting ended at 8:25 pm.

Next Council Meeting November 19, 2024