



Regular Council
Wednesday, November 4, 2020 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for Wednesday, November 4, 2020 at 6:37 PM.

2. Roll Call

Present - Mayor Chip Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest

Absent - None

Staff present - Jim Lenner - Village Manager, Jack Liggett - Assistant Village Manager, Abe Haroon - Chief of Police, Dana Steffan - Finance Director, Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Bill Treciak, Troy Hendren

3. Invocation - Mr. Lee

4. Action on Minutes

a. October 20, 2020

ACTION: Marvin Block moved to Approve minutes; Benjamin Lee seconded and the vote was as follows:

AYES: Chip Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest

NOES: None

ABSTAIN: None

Passed 7 - 0

5. Citizen comments on matters not on the agenda

1. Bill Treciak - Johnstown business owner

- Said regarding last Friday, as a downtown business owner, he is concerned about not being a part of the communication or conversation on the road closure through downtown. Said his wife's boutique is only open on Friday and Saturday so to have this decision made without any involvement from downtown folks was troubling. His idea for the future would be to engage all the business owners for input and really support the public/private cooperation; since most of the retail businesses down there are only open in the latter part of the week, they would like a commitment this

would not be done again on a Friday or Saturday; he said it is frustrating to see decisions being made and expecting the businesses to take the financial hit. He also added that he called the village offices on Friday and as of today no one from Johnstown's leadership has called him back; when actions like that occur it brings into question the temperature between the business community in the downtown corridor and Village leadership and what we are trying to do in terms of growing and working together; he said those decisions impacted small business people who right now can ill afford to have to shut their doors for a full day.

Jim Lenner said he takes one hundred percent of the responsibility on this. Notice was sent out on Facebook and through the village traffic alert program but those not signed up wouldn't see it; combine that with an employee COVID case in the main office and a death in his family... said he had it on his schedule to contact the businesses but was not able to make that phone call. He wants the downtown businesses to know the village does support them and when he ultimately signed the paperwork to close the road, he was trying to bring attention to Johnstown and show off beautiful businesses downtown. Talked about the village creating a downtown business contact group to push relevant notifications out as there is simply not time to contact everybody specifically and there is no Chamber of Commerce that represents the businesses.

Mr. Treciak said he loves the idea of showing off our community, the concern is this decision was made without consideration of the impact to small business and the people being asked to pay the price should be part of the conversation before a decision is made.

Ms. Van Deest said she wished there was some organized group for the business people; she feels if we had some entity like that we could have gone to the contact person for that group and done a much better job.

Mr. Treciak said his objective is only to acknowledge the misstep and find a way to come together as a partnership to make these types of things not occur in the future.

Ms. Van Deest said Council is pleased their businesses are here and they want to do better. Mr. Block said if anything like this comes up again, he will personally come down and let them know; he is very sorry about it and he does appreciate them being here. Mayor Dutcher said they will use this as a learning experience and to his knowledge this is the first movie production ever shot in the Village of Johnstown and he does not think it will be something that happens often; he is sorry for how it impacted him and Amy.

6. Council Committee reports

- a. **Planning & Zoning:** Met 10/27/20; Next 11/10/20 @ 6:30 pm hybrid
Zoning Code draft approval of part one; part two to be reviewed next meeting. Review of draft for Accessory Dwelling Units (ADU), continuing conversation on specifics; committee

decision to move forward with drafting a legislative document for review based on conversations. Mr. Block said Bailey Klimchak came up with the plan for ADU's and he thinks she hit the ball out of the park with it.

- b. **Safety & Service:** Met 10/6/20 updated last time; Next 11/3/20 @ 5:00 pm hybrid
Met tonight; Mr. Liggett provided updates on construction projects, recapped the update on the water tower project for Council members. Talked through reengaging sidewalk maintenance for deteriorating sidewalks in the village; Doug Lehner will take over research on the topic and will reengage conversation in December. Talked about AEP lighting and potential conversion to LED as well as areas that need additional fixtures. Leafy Dell traffic discussion; committee voted 3-0 in favor of a four way stop at Eagles Nest and Parkdale, at Chief's recommendation "4 way stop" signs will be added below stop signs in the area.
- c. **Finance:** Met 10/20/20 & 10/27/20 minutes attached; Next 11/17/20 @ 5:00 pm hybrid
Dana Steffan said she is wrapping up the year and reviewing all expenses that are yet to be paid, may see an ordinance to move money around, would be presented at the next meeting. Increase on health insurance premium was expected; Finance Director budgeted for ten percent and increase was only seven point seven percent. Ben noted the budget is required to be balanced before passage, if a negative is seen in the draft, know that conversations continue to understand where carryover balances will be.
- d. **Economic Development:** Met 10/1/20 updated previously; Next 11/5/20 @ 10:00 am Virtual
No new updates provided.
- e. **Park & Rec:** Met 10/8/20 updated last time; Next 11/12/20 @ 10:00 am Virtual
No new updates provided.

Ms. Van Deest asked that committees with no meetings scheduled not be listed on the agendas, Mayor Dutcher agreed; Clerk took note.

- f. **Miles Estate:** Next TBD
- g. **Joint Recreation:** Next TBD
- h. **School District Liaison:** Next TBD
Mr. Block requested a meeting be scheduled.
- i. **Storm Water Management:** Next TBD
- j. **Rules:** Next TBD
- k. **Personnel Board of Review:** Next TBD
- l. **Tree Commission:** Next TBD

7. Director Reports

- a. Service
Jack Liggett reviewed all reports for Water, Sewer and Streets.
 - i. Water
 - ii. Sewer

Jack Liggett thanked Council for the purchase of equipment to include rubber boots to keep staff better protected.

iii. Street

Mr. Block said the CCL would like to put a car port or enclosure over the Santa House at the back of village offices; at their expense. Discussion that a lean-to would look better, be more secure and last longer; Jack Liggett to get pricing.

b. Manager

Jim Lenner reviewed his report. Added that the State Controlling Board meeting for Project Mastodon funding has been scheduled for December 14th. Mayor Dutcher asked if we expect to have a signed agreement on Project Circuit by Monday night so it can be presented to the School Board; Mr. Lenner did not think so, said he is hopeful to have in 2021. Updated that with COVID dollars, the admin office renovation cost to more effectively separate admin staff is about \$15,000 more than anticipated and \$50,000 is the requirement for projects to be bid out; the Village Charter allows Council to waive that bid requirement. Mr. Lenner asks Council to allocate another \$15,000 from the CARES Act fund money available for a total of \$65,000 for construction and also asks Council to waive the bidding requirement for the project which will be memorialized in a contract later on. Mr. Lenner said due to the timing on when the funds need to be spent, if the project had to go to bid there would not be time to spend the funds. Discussion of Council and staff surrounding the requests.

ACTION:	Chip Dutcher moved to allocate the \$15,000 CARES money to the project and to waive the bidding requirement; Marvin Block seconded and the vote was as follows:
AYES:	Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest, Chip Dutcher
NOES:	None
ABSTAIN:	None

Passed 7 - 0

Mr. Lenner added that at the end of November there will be a re-shuffling of funds and if we show that we have expended our funds, we will get more from those who have not spent their allocations. Mayor Dutcher said we need to come up with other uses so that money can be allocated very quickly. Mr. Lenner said money can also be reimbursed for safety services so at the least Police Officers can be paid from that and that would free up General Fund money, adding that whatever we get, one hundred percent of it will be spent.

8. Tabled Legislation N/A

9. Public Hearings of Legislation

a. **ORDINANCE 32-2020** AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE

NECESSARY CHANGES OF APPROPRIATIONS. *Introduced October 20, 2020*

This is CARES Act round three funds disbursement received on October 9, 2020. This is the ordinance to accept the revenues and appropriate all of the funds.

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

Mr. Block said he thinks all have done a good job allocating the money.

ACTION: Chip Dutcher moved to Approve; Marvin Block seconded and the vote was as follows:
AYES: Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest, Chip Dutcher, Cheryl Robertson
NOES: None
ABSTAIN: None

Passed 7 - 0

- b. **RESOLUTION 2020-38** A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

This authorizes Village Manager Jim Lenner to submit an application and apply for OPWC funds for Edwards Road improvements.

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

Mr. Block said he would abstain because he is a resident of Edwards Road, he is in favor of the project but does not feel he should vote on something that improves his own street.

ACTION: Benjamin Lee moved to Approve; Sharon Hendren seconded and the vote was as follows:
AYES: Benjamin Lee, Sharon Hendren, Carol Van Deest Chip Dutcher, Cheryl Robertson, Doug Lehner
NOES: None
ABSTAIN: Marvin Block; resident on Edwards Road

Passed 6 - 0

- c. **RESOLUTION 2020-39** A RESOLUTION TO REAPPOINT JIM ROBERTS TO THE JOHNSTOWN COMMUNITY IMPROVEMENT CORPORATION.

When the CIC was formed terms were staggered, Jim Roberts was appointed for one year, Mr. Lenner has confirmed Mr. Roberts would like to be reappointed. The new term is for three years.

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

ACTION: Marvin Block moved to Approve; Sharon Hendren seconded and the vote was as follows:
AYES: Benjamin Lee, Sharon Hendren, Carol Van Deest, Chip Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block
NOES: None
ABSTAIN: None

Passed 7 - 0

- d. **RESOLUTION 2020-40** A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH MONROE TOWNSHIP, LICKING COUNTY, OHIO TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

Troy Hendren, member of the Monroe Township Board of Trustees, spoke on the joint project saying he thinks there is a good shot at getting a half million dollar road project done for about one hundred and fifty thousand dollars; If authorized, Jim Lenner will be completing the application. Mr. Lenner said the township has come up with the twenty six percent cash, the village will also commit to twenty six percent cash which is \$49,305.00. The project will be paid for with twenty six percent cash and seventy four percent grant which will be reflected in this resolution; Mr. Lenner asks Council to pass the resolution as presented, understanding the village financial exposure will not exceed \$49,305.00.

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

ACTION: Benjamin Lee moved to Approve Resolution 2020-40 with the village's total project cost not to exceed \$190,000 and total cash out of pocket not to exceed \$50,000; Doug Lehner seconded and the vote was as follows:
AYES: Sharon Hendren, Carol Van Deest, Chip Dutcher, Cheryl Robertson, Doug Lehner, Benjamin Lee
NOES: None
ABSTAIN: Marvin Block; resident of Edwards Road.

Passed 6 - 0

10. Introduction of Legislation

- a. **ORDINANCE 33-2020** AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS.

This is for the new traffic control box at US62 and Commerce Boulevard. Public Hearing and vote will be on November 17, 2020.

- b. **ORDINANCE 34-2020** AN ORDINANCE TO APPROVE EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021.

This is the first reading of the 2021 annual budget. Second reading scheduled for November 17th and public hearing and vote on December 1st. Finance Director Dana Steffan said she appreciates Mr. Lees notation of the negative balance projected in the street fund which will be covered, a budget will not be presented for passage with a negative balance so watching how other expenses play out for the year end.

Mayor Dutcher noted the village will receive another rebate from Worker's Compensation; also the County Auditor is reevaluating properties, the village hopes to get some extra from our four percent real-estate tax.

11. Other Business

1. Jack Liggett thanked TLV Excavating, who is working at the Trailhead Park, for breaking up the concrete pad and stacking it for removal at no charge to the village, saving five to seven thousand dollars; TLV said to consider it their donation to the park. Mr. Liggett said this is the second park he has donated time and effort for and wants to ensure they are remembered when the recognition plaques are made.

2. Jack Liggett thanked Teresa Monroe for covering the office alone when COVID hit and offices had to be closed.

3. Mayor Dutcher said he had opportunity when planting the trees to talk to members of the Street Department and thanked them all and let them know they are appreciated; on behalf of Council, Mayor Dutcher offered the same to the Chief, Police Officers and Dispatch; he said all village employees are appreciated and they do not get thanked enough.

12. Adjourn

ACTION: Sharon Hendren moved to Adjourn; Marvin Block seconded and all were in favor.

AYES: Chip Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block,

	Benjamin Lee, Sharon Hendren, Carol Van Deest
NOES:	None
ABSTAIN:	None

Passed 7 - 0

Meeting adjourned at 7:56 p.m.

Next Council Meeting November 17, 2020 6:30 pm