



Village Council Meeting
Tuesday, June 2, 2020 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Ms. Hendren
4. Swear In Sergeant Cooperrider
5. Citizen comments on matters not on the agenda
6. Action on Minutes
 - a. May 19, 2020
7. Council Committee reports
 - a. **Planning & Zoning:** Met 5/26/20 virtual; Next 6/9/20 @ 6:30pm format tbd
 - b. **Safety & Service:** 6/2/20; Next 6/9/20 @ 5:00 pm format TBD
 - c. **Finance:** Met 5/19/20 virtual, draft minutes attached. Next 6/16/20 @ 5:00 pm format TBD
 - d. **Economic Development:** Nothing scheduled
 - e. **Park & Rec:** Nothing scheduled
 - f. **Miles Estate:** Nothing scheduled
 - g. **Joint Recreation:** Nothing scheduled
 - h. **School District Liaison:** Nothing scheduled
 - i. **Storm Water Management Committee:** Nothing scheduled
 - j. **Rules:** Nothing scheduled
 - k. **Personnel Board of Review:** Nothing scheduled
 - l. **Tree Commission:** Nothing scheduled
8. Director Reports
 - a. Service: Water, Sewer, Street
 - b. Village Manager
9. Tabled Legislation
 - a. **RESOLUTION 2020-13** A RESOLUTION ACCEPTING AN ANNEXATION OF 81.556 ACRES, MORE OR LESS, FROM MONROE TOWNSHIP, LICKING COUNTY TO THE VILLAGE OF JOHNSTOWN (PETITIONERS: ANDREW LEE RICE; MARY NEDA ANN SHAUB; CHARLES L. PARKER, CO-TRUSTEE OF THE PARKER FAMILY TRUST; MARILYN J. PARKER, CO-TRUSTEE OF THE PARKER FAMILY TRUST).
(Introduced and Tabled April 21, 2020)

10. Public Hearings of Legislation

- a. **ORDINANCE 15-2020** AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS.
(Second Reading/Public Hearing and Vote)
- b. **ORDINANCE 16-2020** AN ORDINANCE AMENDING PART FIVE, CHAPTER 509, DISORDERLY CONDUCT AND PEACE DISTURBANCE IN THE CODIFIED ORDINANCES OF THE VILLAGE OF JOHNSTOWN, OHIO.
(Second Reading/Public Hearing and Vote)
- c. **ORDINANCE 19-2020** AN ORDINANCE SETTING THE COSTS FOR THE CERTIFICATE OF REGISTRATION FEE AND THE CONSTRUCTION PERMIT FEES FOR THE RIGHT-OF-WAY PROGRAM AND DECLARING AN EMERGENCY.
(First Reading/Public Hearing and Vote)

11. Introduction of Legislation

- a. **ORDINANCE 17-2020** AN ORDINANCE AMENDING CONDITIONAL USES LISTED IN CHAPTER 1159 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES.
- b. **ORDINANCE 18-2020** AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS.
- c. **ORDINANCE 20-2020** AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS.

12. Other Business

13. Adjourn

Next Council Meeting TUESDAY June 16th, 2020

**Village of Johnstown
Regular Council Meeting Minutes
Tuesday, May 19, 2020 (Virtual)**

CALL TO ORDER: Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for Tuesday, May 19, 2020 at 6:35 p.m.

COUNCIL ROLL CALL: Doug Lehner; present, Marvin Block; absent at roll/arrival near end of meeting, Benjamin Lee; present, Cheryl Robertson; present, Mayor Chip Dutcher; present, Sharon Hendren; absent, Carol Van Deest; present.

IN ATTENDANCE – STAFF: Jim Lenner - Village Manager, Jack Liggett – Ast. Village Manager, Abe Haroon - Chief of Police, Dana Steffan – Finance Director, Bailey Klimchak – Village Planner, Teresa Monroe – Clerk of Council

IN ATTENDANCE – PUBLIC: Dustin Gerkin, Leanna, Dave Pontia, unknown callers one and two.

INVOCATION: Given by Mayor Dutcher

CITIZEN COMMENTS: None

ACTION ON MINUTES: May 5, 2020

Motion: Mr. Lee moved to approve as written; Ms. Van Deest seconded, and the vote was as follows:

Doug Lehner;	Y
Ben Lee;	Y
Cheryl Robertson;	Y
Chip Dutcher;	Y
Sharon Hendren	Y
Carol Van Deest;	Y

Passed 6-0

COUNCIL COMMITTEE REPORTS

Planning & Zoning: Next 5/26/20 virtual @ 6:30 pm

Safety & Service: Met 5/5/20 updated last time, written minutes attached; Next 6/2/20 @ 5:00 pm format TBD

Finance: 5/19/20 virtual; Review of finance reports; Director to move forward on creating an additional account or fund for COVID-19 relief money. Review of water accounts and non-payment numbers show delinquent accounts are twice as high. Discussed the \$20,000 tech upgrade money from New Day, committee voted 3-0 in favor of putting out an RFP with a budget of \$5,000 for redesign of the village website. Committee voted 3-0 on the purchase of Chromebooks for council with reimbursement to be applied for via the COVID-19 relief funds through the state. Continued review of CivicPlus and iWorQ platforms for GIS asset mapping and work orders, committee voted 3-0 in favor of moving forward with the iWorQ platform and to use the \$15,000 balance of the \$20,000 tech upgrade money to pay toward the one time set up cost with the annual fee thereafter paid evenly from water, sewer and street departments. Staff provided a brief summary on the program; Committee Chair asked for a vote from the balance of council on the decision: **Motion:** Mr. Lee moved to go forward with the iWorkQ platform approved through Finance, Mr. Lehner seconded; motion carried by roll call vote 6-0. Appropriation Ordinance will follow. Next 6/16/20 @ 5:00 pm format TBD

Economic Development: 5/7/20 cancelled; Nothing scheduled

Park & Rec: 5/14/20 cancelled; updated that parks with playgrounds are still closed, the only park open at this time is the Trail- head. Nothing scheduled

Miles Estate: Nothing scheduled

Joint Recreation: Nothing scheduled

School District Liaison: Nothing scheduled

Storm Water Management Committee: Nothing scheduled

Rules: Nothing scheduled

Personnel Board of Review: Nothing scheduled

Tree Commission: Five Sassafras tree seedlings were donated by the Licking County Soil and Water District, they will be pot planted for now and transplanted when big enough; Ms. Klimchak publicly thanked the District for the donation. No meetings scheduled.

Director Reports

a. Police: Chief Haroon updated that a project he is taking on is a complete overhaul of the policies and will likely be a six month project. Continues to look at ways to lower department costs. Used the incinerator purchased to destroy four hundred and one pounds of pills, street value of \$91,000. Continues to look at CAD systems and reviewing costs. Looking at June 1st date to resume handling officer calls normally also reviewing Mayor's Court operations. Has submitted a Disturbing the Peace Ordinance draft and is on for first reading tonight. Submitted grants for new bulletproof vests and hopes to receive \$2,200 toward the purchase. Two out of service cruisers placed for auction were defaulted on by the winning bidder and have been relisted for sale. Shared results of a ten day speed survey done at Valleyview and Saratoga. Police Department stats report attached.

b. Finance: Ms. Steffan reviewed her report and is attached.

LEGISLATION

TABLED

A. RESOLUTION 2020-13 A RESOLUTION ACCEPTING AN ANNEXATION OF 81.556 ACRES, MORE OR LESS, FROM MONROE TOWNSHIP, LICKING COUNTY TO THE VILLAGE OF JOHNSTOWN (PETITIONERS: ANDREW LEE RICE; MARY NEDA ANN SHAUB; CHARLES L. PARKER, CO-TRUSTEE OF THE PARKER FAMILY TRUST; MARILYN J. PARKER, CO-TRUSTEE OF THE PARKER FAMILY TRUST).
(Public Hearing ~ Tabled April 21, 2020)

Mayor Dutcher asks that this remain tabled until all can physically be together; there was no objection from Council and will remain tabled.

INTRODUCTION / FIRST READING

A. ORDINANCE 15-2020 AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS.
(2nd read on June 2, 2020)

Finance Director reports that a portion of Capital Improvement money appropriated for 2020 was spent in 2019 essentially overspending the 2020 budget; the County Auditor budget balance process requires this legislation to correct and show a balanced budget.

B. ORDINANCE 16-2020 AN ORDINANCE AMENDING PART FIVE, CHAPTER 509, DISORDERLY CONDUCT AND PEACE DISTURBANCE IN THE CODIFIED ORDINANCES OF THE VILLAGE OF JOHNSTOWN, OHIO. (2nd read on June 2, 2020)

Chief Haroon said this legislation is a result of several types of noise complaints within the community; the Law Director has reviewed draft.

PUBLIC HEARINGS

N/A

OTHER BUSINESS

1. Sharon Hendren inquired on the food trucks visiting the village on Sundays; Mr. Lenner said not likely for three weeks, still waiting on details from the organizations.
2. Bailey Klimchak reports two hundred and forty four responses to the online Design Standard survey, she plans to leave it available for another week or so and will update council with results when complete. Census response rate currently at seventy two percent within the village.
3. Jack Liggett inquired on date to resume full staffing schedule; Mr. Lenner said his goal is to have facilities open June first but needs to ensure barriers are in place for safety; he will continue to look at the Governor's guidance for responsible restart and what is expected.
4. Jim Lenner said we are starting the four million dollar Mobility Grant application as well as EDA Federal program for Economic Development that could be used for incubator space; details to follow. Easements have been sent to the County Recorder for the Enterprise Center, certificate of funds has been provided to the Port Authority, as soon as documents are recorded the Port Authority will submit their PTI for the Enterprise Center infrastructure.
5. Marvin Block present; time of arrival not noted.
6. Jim Blair updated that the "Waggoner" house has been torn down also that Dr. Bright's practice will be moving to the plaza near TSC and will be partnered with Mount Carmel Health.
7. Mr. Block thanked Mr. Blair for the improvements to the lot across from McDonalds.

ADJOURNMENT: There being no further business to come before Council, Mr. Block moved for adjournment, Ms. Hendren seconded and all were in favor, motion passed 7-0.

Thereupon, the meeting adjourned at 7:22 p.m.

RESPECTFULLY SUBMITTED

APPROVED AS PRESENTED

Teresa Monroe, Clerk of Council

Chip Dutcher, Mayor

Johnstown Council
Finance Committee
Minutes of the meeting May 19, 2020 5:00 pm
(Virtual)

Meeting came to order at 5:00 pm; Committee members present: Chairman Lee, Robertson, Dutcher

Staff present: Jim Lenner, Dana Steffan, Jack Liggett, Chief Haroon, Bailey Klimchak, Jim Blair, Marvin Block, Carol Van Deest Teresa Monroe

Public present: Dudley Wright

Action on minutes: April 21, 2020

Mr. Dutcher moved to approve the minutes, Mr. Lee seconded and motion carried 2-0 with one abstention.

Finance reports: Dana Steffan provided her director's reports, Items of note; an \$18,000 refund was received from BWC and the bond money has been received into village account. Still operating on assumption of a twenty percent decrease in total revenue for the year; reviewed items on the bank to book reconciliation.

2020 Income trends / Budget callouts: Review of Ordinance 15-2020 on tonight's council agenda. Ms. Steffan said the County Auditor requested this as the past budget was over-appropriated \$27,000 in the Capital Improvements line for the US62 turn lane project; money was appropriated in 2020 but a portion was paid in late 2019 which caused the 2020 ending budget balance to be negative, this ordinance corrects that and will be sent to the County Auditor when passed.

CARES Act / COVID-19 fund designation: Discussion on creating a new fund or account for money received from the Federal Government for reimbursement of COVID-19 expenses; Finance Director said we expect to receive about \$46,000 dollars. Committee indicated they would like to keep a separate account to track invoices and expenses and money coming in and going out, a separate line item in the budget that can be reviewed. Mr. Block noted the Ohio Legislative Service Commission directs that money received is to be deposited into a dedicated fund and must be used solely for the purpose describe in the Federal CARES Act, it will be audited by the State to ensure revenue is used properly; cited S.B. 310. Ms. Steffan said she would look up and make sure to comply on whether or not a separate fund is required.

Water account / Non-payment updates: Review of statistical data on delinquent payments, Utility Billing is tracking monthly and provided data showing twice as many accounts unpaid than is average but no large "balloon" between April and May on what is owed versus what has been paid, will continue to monitor.

\$20K Tech upgrade from New Day: Discussion on how money will be used. Ms. Robertson said she would like to use a portion for professional website design to free up Mr. Lenner from spending any more time on it; a new quote can be requested for the design and should be lower

as most of the content has already been completed by Jim. Committee discussed getting examples by way of an RFP and identifying a budget.

Motion: Mayor Dutcher moved to put out an RFP with a max of \$5,000 for the website (from the New Day Tech upgrade money), Mr. Lee seconded; motion carried 3-0.

Mayor Dutcher brought up previous discussions on i-pads for council with all the virtual meetings during this time, said Staples has Chromebooks for \$219.00 which would be less expensive than i-pads. Mr. Lenner said this could be submitted as an expense under the CARES Act.

Motion: Mr. Lee moved to order nine HP Chromebooks not to exceed \$2,100.00; Mr. Dutcher seconded and motion carried 3-0.

Civic Plus Suite vs iWorQ platforms: Discussion continued on the different platforms of each company for GIS mapping, work orders and mass emergency notification system; comparison spreadsheet provided. Notification system CivicReady will continue on the ninety day trial but focus landed on the iWorQ platforms for GIS data collection and mapping and asset management with work orders. Final iWorQ proposal reviewed; cost is \$32,500 set up and \$10,500 annually; balance of \$15,000 from the New Day tech money will be paid toward the set up cost and the annual fee will be split evenly between water/sewer/street departments.

Motion: Mr. Lee moved to go forward with the iWorQ applications for GIS asset management, work orders and facility management with the \$35,000 set up cost, \$10,500 annual cost and a finance ordinance to show the \$15,000 offset from the New Day appropriation; Ms. Robertson seconded and the motion carried 3-0.

Mr. Block noted the \$20,000 from New Day was for the sewer plant accepting an increase in ammonia content; Mr. Liggett said they are currently taking it in with no problem, that it did take space out of the waste water plant but there is no immediate need for an upgrade and the money being made off of the waste water income, Jack said he would like to see set aside and within five years the processing unit could be upgraded; the plant will be expanded totally on the income of the New Day project.

Conversation on financial commitment will carry over to council meeting tonight where Mr. Lee said he would request a motion of the balance of Council for verbal commitment and to provide assurance to the vendor. An appropriation ordinance could then be introduced at next council meeting; no payment is due until July 1st.

Staff to continue review of platforms for CivicReady (notification system) and CivicClerk (agenda management) within the ninety day free trial.

Other business

1. Quote for PD rifles: Chief Haroon said the figure he came up with was \$4,200 but given circumstances and current budget restraints he does not think it is a good idea to go forward at this time, believes he can stretch out current rifle stock to the officers on shift; but would like to revisit this at a later date and time when more fiscally sound.

2. Recycle containers: Conversation tabled as meeting short on time.

3. New Police vehicle for Chief has been ordered, Ford just opened their doors back up so it could be three to six months before we take physical possession.

4. Mr. Lee noted all should continue to keep H.B.163 on the radar. Mr. Lenner noted that is the water service cap legislation and that the OML Director is confident it will not go anywhere until after summer recess which then puts us into Lame-Duck in the fall.

Adjourn: Mr. Lee moved to adjourn, Mayor Dutcher seconded. Motion carried 3-0; meeting adjourned at 6:25 pm.

DRAFT



Water Plant May 2020

- 1) As of May 28th, the flow is 12.482 MG.
- 2) Worked on Backflow Prevention list.
- 3) Submitted the Consumer Confidence Report to E.P.A.
- 4) Tim Perry stripped and waxed floors at the Water Plant.
- 5) Attended train on the new Facility Management Program (iWorQ).
- 6) Changed lime slaker out and cleaned #2 lime slaker and got it ready for service.
- 7) Mowed the grass at the Water Plant.

Thank you,
Terry Nichols
Water Plant Superintendent
Village of Johnstown



Sewer Plant May 2020

Total Flow - 22.142 MG

- Monthly Maintenance
- Pressed Biosolids
- Hauled Biosolids
- Duplicated programs from Kroger & Westview Lift Station onto memory module in case of PLC controller failure
- Bulk Water/Sewer Bills

Rick Fitch
Chief Wastewater Operator
Sewer Plant



Street Department Report May 2020

62 Update

- Benedict is shut down, new storm system has been put in
- Curbs are being put in on the north side of 62 and Benedict

Kasson street

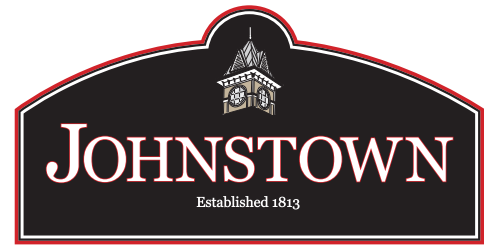
- Curbs are in
- Base coat of asphalt is in

Street Update

- Tore the concrete pad out back of the shop to save money for the salt temple
- Cleaned brush away from the bike path so the paving company can pave
 - Cut trees at bike path behind the toilet to improve the look
 - 12 tons of hot mix
 - Had to fix a water leak in front of the new nursing home
 - Installed the new light pole on Buena Vista and Edwards
 - Hauled sludge from the waste water plant
 - Cleared brush off of Concord Road
 - Mowed
 - Called in for storm drains, when we got all the rain
 - Accident clean up at the intersection of 62 and 37
 - Built safety screen for the front office
- Installed pavers on Upham, from the street sweeper damaging them
 - Dug up and replaced water valve behind TSC
 - Accident Clean up on Parkdale dr.
- The pedestrian pedestal at 62 and 37 has been installed

Michael Gutridge
Utility Director

VILLAGE MANAGER'S REPORT | JUNE 2, 2020



NEW DAY WATERLINE - Engineer has completed the first draft. Based on our Engineer's estimate, we will be able to meet the March 1, 2021 deadline (saving for any major issues).

JOHNSTOWN CIC - The May 28, 2020 meeting was cancelled.

PROJECT MASTODON - Project is paused due to the pandemic.

PROJECT ZIDANE - I've been told the project will not choose Johnstown although not official.

PROJECT GIBRALTAR - Project is paused due to the pandemic.

PROJECT MILLIE - Project is paused due to the pandemic.

DESIGN GUIDELINES - We will be closing the public survey on May 29. The first task force meeting will be June 18th via zoom. Stakeholder interviews are also in progress.

ENTERPRISE CENTER - The easements have been recorded and sent to the Port Authority. We've sent a certificate of funds to the Port Authority. .

OREGON STREET, PHASE III - Funding has been suspended at this time. No indication as to when the funds will be released. The original date of funding was July 1, 2020.

JOINT RECREATION DISTRICT - I had a meeting with the superintendents of both school districts. Next, I have to convene a meeting with both school board presidents.

COVID 19 - The Village offices/facilities reopened on June 1 with guidelines to follow for the staff and public.

COMPLETE TRIP - ITS4US GRANT APPLICATION - Work is ramping up on the application. To date, our staff has discussed partnerships with COTA, LCATS, DriveOhio, ODOT, New Albany, Newark. The purpose of the grant is to enable communities to develop large-scale, replicable and integrated technology deployments that generate increased multimodal mobility options for all travelers regardless of location, income, or disability.

EDA CARES ACT GRANT - [I'd recommend seeking funds for downtown revitalization.](#) The EDA's Economic Adjustment Assistance program will provide strategy grants to develop or update a region's Comprehensive Economic Development Strategy ("CEDS"), and implementation grants for infrastructure construction, capitalizing revolving loan funds ("RLF"), technical assistance, and other activities justified by a region's CEDS.

VILLAGE OF JOHNSTOWN



RESOLUTION 2020-13

599 S. Main Street
Johnstown, Ohio 43031
Telephone: 740-967-3177
Fax: 740-967-3519

**A RESOLUTION ACCEPTING AN ANNEXATION OF 81.556 ACRES, MORE OR LESS,
FROM MONROE TOWNSHIP, LICKING COUNTY TO THE VILLAGE OF JOHNSTOWN
(PETITIONERS: ANDREW LEE RICE; MARY NEDA ANN SHAUB; CHARLES L. PARKER,
CO-TRUSTEE OF THE PARKER FAMILY TRUST; MARILYN J. PARKER, CO-TRUSTEE
OF THE PARKER FAMILY TRUST)**

WHEREAS, an Expedited Type II annexation petition for 81.556 acres, more or less, from Monroe Township, Licking County to the Village of Johnstown was filed in the offices of the Licking County Commissioners on November 26, 2019, by Jackson B. Reynolds, III, Attorney/Agent for Petitioners, Andrew Lee Rice; Mary Neda Ann Shaub; Charles L. Parker and Marilyn J. Parker, Co-Trustees of the Parker Family Trust; and

WHEREAS, the Licking County Commissioners approved the annexation petition on January 7, 2020.

NOW THEREFORE, be it resolved by the Council of the VILLAGE OF JOHNSTOWN, Licking County, Ohio, as follows:

Section One: The petition for annexation of 81.556 acres, more or less, to the Village of Johnstown is hereby accepted.

Section Two: 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 for the VILLAGE OF JOHNSTOWN.

Date of Introduction: April 21, 2020

TABLED

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

VILLAGE OF JOHNSTOWN



ORDINANCE 15-2020

AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

WHEREAS, the Council of the Village of Johnstown adopted its annual appropriations for 2020 on December 3, 2019; and

WHEREAS, the Council of the Village of Johnstown desires to balance the budget in Capital Improvements Fund 4902, US 62 Turn Lane; and

WHEREAS, a certain appropriation was established at the time the 2020 Budget was passed. Subsequently, a payment was made from this Fund thereby reducing the amounts available in 2020 and over-appropriating the Fund balance as of 12/31/2020; and

WHEREAS, the net effect on the finances of the Village of Johnstown will be a decreased appropriation of \$27,117.05.

Section One. That the appropriation for the Capital Improvements – US62TL Fund that was set forth in Ordinance 40-19, adopted by the Council of the Village of Johnstown, State of Ohio, on December 3, 2019, be hereby amended to read as follows:

Capital Improvements – US62 Turn Lane Fund

Capital Outlay		(\$	27,117.05)
Net effect on Capital Improvements – US62 turn lane Fund	(increase)	\$	27,117.05

Section Two. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: May 19, 2020

Public Hearing/Vote: June 2, 2020

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

DRAFT



AN ORDINANCE AMENDING PART FIVE, CHAPTER 509, DISORDERLY CONDUCT AND PEACE DISTURBANCE IN THE CODIFIED ORDINANCES OF THE VILLAGE OF JOHNSTOWN, OHIO.

WHEREAS, the Village of Johnstown desires to better control noise and types of disruption to residents; and

WHEREAS, the Village of Johnstown, Ohio desires to amend Section 509.03 Disorderly conduct and Intoxication; and

WHEREAS, the Village of Johnstown, Ohio desires to add Section 509.031 Disturbing the Peace; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF JOHNSTOWN, OHIO, LICKING COUNTY, STATE OF OHIO;

Section One. That Section 509.03 is amended as incorporated herein.

Section Two. That Section 509.031 is hereby created and incorporated herein.

509.03 DISORDERLY CONDUCT

A. No person shall recklessly cause public inconvenience, annoyance or alarm to another, or recklessly create a risk thereof, by doing any of the following:

1. Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
2. Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person, which by its very utterance or usage inflicts injury or tends to incite an immediate breach of the peace.
Unreasonable noise is defined as noise that is not fitting or proper in respect to the conventional standards of organized society or a legally constituted community.
3. Insulting, taunting or challenging another, under circumstances in which that conduct is likely to provoke a violent response;
4. Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within or upon public or private property, so as to interfere with the rights of others, and by any act that serves no lawful and reasonable purpose of the offender.

5. Creating a condition that is physically offensive to persons or that presents a risk of physical harm to persons or property, by any act that serves no lawful and reasonable purpose of the offender.
- B. No person, while voluntarily intoxicated shall do either of the following:
1. In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary sensibilities, which conduct the offender, if the offender were not intoxicated, should know is likely to have that effect on others;
 2. Engage in conduct or create a condition that presents a risk of physical harm to the offender or another, or to the property of another.
- C. Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft or other vehicle while under the influence of alcohol or any drug of abuse, is not of violation of division (B) of this section.
- D. If a person appears to an ordinary observer to be intoxicated, it is probable cause to believe that person is voluntarily intoxicated for purposes of division (B) of this section.
- E. Penalties:
1. Whoever violates this section is guilty of Disorderly Conduct.
 2. Except as otherwise provided in division (E)(3), disorderly conduct is a minor misdemeanor.
 3. Disorderly conduct is a misdemeanor of the fourth degree if any of the following applies:
 - i. The offender persists in disorderly conduct after reasonable warning or request to desist.
 - ii. The offense is committed in the vicinity of a school or in a school safety zone.
 - iii. The offense is committed in the presence of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person who is engaged in the person's duties at the scene of a fire, accident, disaster, riot or emergency of any kind. The offense is committed in the presence of any emergency facility person who is engaged in the person's duties in an emergency facility.
 - iv. The offense is committed in the presence of any emergency facility person who is engaged in the person's duties in an emergency facility.

4. If an offender previously has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of this section, a violation of division (A) or (B) of this section is a misdemeanor of the fourth degree.
5. As used in this section:
 - i. “Emergency medical services person” is the singular of “emergency medical services personnel” as defined in Ohio R.C. 2133.21.
 - ii. “Emergency facility person” is the singular of “emergency facility personnel” as defined in Ohio R.C. 2909.04.
 - iii. “Emergency facility” has the same meaning as in Ohio R.C. 2909.04.
 - iv. “Committed in the vicinity of a school” has the same meaning as in Ohio R.C.2925.01. (ORC 2917.11).

509.031 DISTURBING THE PEACE.

- A. No person shall create or cause the creation of noise so as to disturb or disrupt the peace and quiet of any reasonable person of normal sensitivity, including, but not limited to the following:
 1. The emission of sound in such a manner as to be plainly audible at a distance 50 feet from the property line of a parcel on which the sound is emanating from a building, structure, vehicle, equipment, machinery, animal or fowl; or on a street, highway, or in the public right-of-way where the sound is audible 50 feet from the device generating the sound.

Exemptions to division (A)(1) include the following:

- i. Sound emanating from scheduled events conducted, sponsored or permitted by the Village or Schools;
- ii. Construction operations occurring between the hours of 7:00 a.m. and 9:00 p.m., provided that all equipment is operated in accordance with the manufacturer's specifications and/or with all standard manufacturer's mufflers and noise-reducing equipment in use and in proper operating condition;
- iii. Construction operations conducted by the Village as approved by the Village Manager or the Village Manager's designee;

- iv. The loading and/or unloading of commercial waste receptacles between the hours of 7:00 a.m. and 9:00 p.m. within 500 yards of any residentially zoned property;
 - v. Noise of safety signals, warning devices, emergency pressure relief valves, and church bells;
 - vi. Noise resulting from any authorized emergency vehicle;
 - vii. Lawn mowers and other similar motorized landscaping equipment used between 7:00 a.m. and 9:00 p.m. when operated with all the manufacturer's standard muffler and/or sound reducing equipment in use and in proper operating condition; and
 - viii. Emergency work as authorized by the Village.
2. Noise related to the discharge of blank ammunition when conducted in conjunction with a funeral, patriotic event or such other activity as specifically authorized by the Village Manager or the Village Manager's designee. In determining whether a noise is of such character to violate the elements herein with regard to unreasonably disturbing the peace and quiet of the community, the following shall be considered:
- i. Complaints of neighbors regarding the referenced noise;
 - ii. The time of day during which the noise is occurring or has occurred;
 - iii. The intensity and duration of the noise;
 - iv. The type of noise emanating; and
 - v. What, if any alternatives are available without excessive noise.

B. Penalties

1. Whoever violates this section is guilty of Disturbing the Peace
2. Disturbing the peace except as otherwise provided in division (B)(3), disorderly conduct is a minor misdemeanor.
3. Disturbing the peace is a misdemeanor of the fourth degree if any of the following applies:
 - i. The offender persists in disturbing the peace after reasonable warning or request to desist.
 - ii. The offense is committed in the vicinity of a school or in a school safety zone.
 - iii. The offense is committed in the presence of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person who is engaged in the person's duties at the scene of a fire,

accident, disaster, riot or emergency of any kind. The offense is committed in the presence of any emergency facility person who is engaged in the person's duties in an emergency facility.

- iv. Offense is a second or subsequent offense, if less than 12 months have elapsed since the last offense of the same provision. Each day such offense is committed or continued shall constitute a separate offense and shall be punishable as such. Citations shall be issued to a person, firm or corporation and/or an individual present at the time of the alleged offense.
 - i. The offender previously has been convicted of or pleaded guilty to three or more violations of division (B) of this section, a violation of division (B) of this section is a misdemeanor of the fourth degree.

4. As used in this section:

- i. "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in Ohio R.C. 2133.21.
- ii. "Emergency facility person" is the singular of "emergency facility personnel" as defined in Ohio R.C. 2909.04.
- iii. "Emergency facility" has the same meaning as in Ohio R.C. 2909.04.
- iv. "Committed in the vicinity of a school" has the same meaning as in Ohio R.C.2925.01. (ORC 2917.11).

Section Three. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for Johnstown, OHIO.

Date of Introduction: May 19, 2020

Public Hearing/Vote: June 2, 2020

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



ORDINANCE 19-2020

**AN ORDINANCE SETTING THE COSTS FOR THE CERTIFICATE OF REGISTRATION FEE
AND THE CONSTRUCTION PERMIT FEES FOR THE RIGHT-OF-WAY PROGRAM AND
DECLARING AN EMERGENCY**

Whereas, Council has adopted an ordinance regulating the use of the Public Right-of-Ways, and,

Whereas, Sections 931.05 and 931.13(D) require council to set these fees annually; and,

Whereas, Now Council desires to set the rates for 2020 and send invoices for 2019;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
JOHNSTOWN, LICKING COUNTY, STATE OF OHIO;**

Section 1. Council hereby establishes and approves the following Right-of-way fee schedule for the Village of Johnstown.

Section 2. The Registration fee for 2020 is calculated as \$338.13 per encumbered mile.

Section 3. The Permit fee for 2020 is calculated at \$159.42 per permit.

Section 4. This ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety, and welfare in that the Village budget is based on the anticipated receipt of this revenue and shall be in full force and effect at the earliest date provided by law.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: June 2, 2020

Public Hearing/Vote: June 2, 2020

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director



AN ORDINANCE AMENDING CONDITIONAL USES LISTED IN CHAPTER 1159 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

WHEREAS, Chapter 1159 of the Village of Johnstown Codified Ordinances (the “Codified Ordinances”) governs the Light Manufacturing District in the Village of Johnstown; and

WHEREAS, On May 26, 2020 by a 3-0 vote, the Johnstown Planning & Zoning Commission approved for Village Council consideration an amendment to the Conditional Uses of the Light Manufacturing District; and

NOW THEREFORE, be it ordained by the Council of the VILLAGE OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 1159.04 be amended; deletions are ~~struck~~; additions are *italicized*

1159.04 CONDITIONAL USES.

In a LM District the following uses are allowed as conditionally permitted:

- (a) Medical Cannabis Cultivation. Medical Cannabis Cultivations businesses as defined in section 1121.02(a)(43).
- (b) Fire Station (Ord 35-2019 passed 10-1-2019)
- (c) Police Station (Ord 35-2019 passed 10-1-2019)
- (d) Emergency Medical Services
- ~~(e)~~ Food Products. Bakery goods, candy, light meat packing, sausage making, canning, milk products and the like, excluding fish products, slaughterhouses, sauerkraut, vinegar, yeast and rendering and refining fats or oils.
- ~~(f)~~ Pharmaceuticals. General pharmaceutical products, cosmetics and toiletries.
- ~~(g)~~ Products for the following previously prepared products: Bone, canvas, cellophane, cloth, cork, feathers, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal, except where presses over twenty tons rated capacity are employed, shell, textiles, tobacco, wax, wood, except where saw and planning mills are employed and yarns.
- ~~(h)~~ Laboratories. Experimental, film or testing laboratories, provided no operations shall be conducted or equipment used which would create hazards, noxious or offensive conditions.
- ~~(i)~~ Individual, public commercial storage units, provided such units are located only in the boundary area northeast of Pratt Street and Ford Street, with an imaginary straight line at Ford extending to Douglas Street.
- ~~(j)~~ Medical Cannabis Processing. Medical Cannabis Processing businesses as defined in section 1121.02(a)(89)

Section 2. It is found and determined that all formal actions of this Village Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open

meeting of this Village Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: June 2, 2020

Public Hearing/Vote: June 16, 2020

Effective Date:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

DRAFT

VILLAGE OF JOHNSTOWN



ORDINANCE 18-2020

AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

WHEREAS, the Council of the Village of Johnstown adopted its annual appropriations for 2020 on December 3, 2019; and

WHEREAS, the Council of the Village of Johnstown does hereby desire to amend its appropriations to pay for new water infrastructure, a new water tower, sewer line upgrades, a salt temple, a plow truck, and various street projects; and

WHEREAS, the Village of Johnstown has closed on General Obligation – Limited Tax Various Purpose Bonds, Series 2020 on May 5, 2020; and

WHEREAS, the net effect on the finances of all Funds of the Village of Johnstown will be \$146,155.61 to the positive.

NOW THEREFORE, be it ordained by the Council of the VILLAGE OF JOHNSTOWN, Licking County, Ohio, as follows:

Section One. That the revenues and appropriations for the Capital Improvements, Water Enterprise, Sewer Enterprise, Debt Service, Water Debt Service, and Sewer Debt Service Funds that were set forth in Ordinance 40-19, adopted by the Council of the Village of Johnstown, State of Ohio, on December 3, 2019, be hereby amended to read as follows:

FUND 4901

Revenues for Capital Improvements Fund

Sale of Bonds	\$	910,000.00
Sale of Bonds	\$	300,000.00
Sale of Bonds	\$	150,000.00

Appropriations for Capital Improvements Fund

Capital Outlay (Street projects)	\$	910,000.00
Capital Outlay (salt storage building)	\$	300,000.00
Capital Outlay (Plow truck)	\$	150,000.00

NET EFFECT on Capital Improvements Fund 4901	\$	0
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FUND 5701

Revenues for Water Enterprise Improvements Fund

Sale of Bonds	\$	750,000.00
Sale of Bonds	\$	2,900,000.00
Sale of Bonds	\$	2,100,000.00

Appropriations for Water Enterprise Improvements Fund

Capital Outlay (New Day water line)	\$	750,000.00
Capital Outlay (SR 310 water line)	\$	2,900,000.00
Capital Outlay (water tower)	\$	2,100,000.00
NET EFFECT on Water Enterprise Improvements Fund 5701	\$	0

FUND 5702**Revenues for Sewer Enterprise Improvements Fund**

Sale of Bonds	\$	1,500,000.00
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Appropriations for Sewer Enterprise Improvements Fund

Capital Outlay (sewer line repair)	\$	1,500,000.00
NET EFFECT on Sewer Enterprise Improvements Fund 5702	\$	0

FUND 3101**Revenues for Debt Service Fund**

Sale of Bonds	\$	59,162.57
Sale of Bonds	\$	31,596.57
Sale of Bonds	\$	6,412.77
Sale of Bonds	\$	20,500.00
NET EFFECT on Debt Service Fund (increase)	\$	117,671.91

FUND 5721**Revenues for Water Debt Service Fund**

Sale of Bonds	\$	11,169.22
Sale of Bonds	\$	8,266.24
Sale of Bonds	\$	2,897.12
NET EFFECT on Water Debt Service Fund (increase)	\$	22,332.58

FUND 5722**Revenues for Sewer Debt Service Fund**

Sale of Bonds	\$	6,151.12
NET EFFECT on Sewer Debt Service Fund (increase)	\$	6,151.12

Section Two. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: June 2, 2020

Public Hearing/Vote: June 16, 2020

Effective Date:

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

VILLAGE OF JOHNSTOWN



ORDINANCE 20-2020

AN ORDINANCE AMENDING ORDINANCE 40-19, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS

WHEREAS, the Council of the Village of Johnstown adopted its annual appropriations for 2020 on December 3, 2019; and

WHEREAS, the Council of the Village of Johnstown does hereby desire to amend its appropriations to pay for a public works platform (iWorQ), updated computer technology for Council members, and services for website redesign; and

WHEREAS, the Village of Johnstown has collected a \$20,000 payment in lieu of taxes from New Day Farms in March, 2020 and a refund from the Bureau of Workers Compensation of \$18,347.53 in April, 2020; and

WHEREAS, the net effect on the finances of all Funds of the Village of Johnstown will be **\$15,347.53** to the positive.

NOW THEREFORE, be it ordained by the Council of the VILLAGE OF JOHNSTOWN, Licking County, Ohio, as follows:

Section One. That the revenues and appropriations for the General Fund that were set forth in Ordinance 40-19, adopted by the Council of the Village of Johnstown, State of Ohio, on December 3, 2019, be hereby amended to read as follows:

Revenues for General Fund

Miscellaneous Revenue	(increase)	\$	38,347.53
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Appropriations for General Fund

Administration – contractual services	\$	15,000.00
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Administration – contractual services	\$	5,000.00
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Legislative – supplies & materials	\$	3,000.00
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NET EFFECT on General Fund	(increase)	\$	15,347.53
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Section Two. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction: June 2, 2020

Public Hearing/Vote: June 16, 2020

Effective Date:

Ord 20-2020

BY: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

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