



Regular Council
Tuesday, July 6, 2021 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the Village of Johnstown Regular Council Meeting for July 6, 2021 at 6:33 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, Yazan Ashrawi - Law Director, Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Mary Queen Cool, John Luke, David Cool, Bonnie Estep, James Estep, Jeff Dopp, Betty Dopp, J Web, Kathy W, Addie Triplett, Eryn Queen, Bailey Williams, Makayla Fain, Andrea Beverly, Amber Walton, Jennifer Gain, Joyce Evans, David Scolvick

3. Invocation - Mr. Lee

4. Pledge of Allegiance

Mayor Dutcher said he would like to publicly thank Ben Lee, Doug Lehner, and Chief Haroon for making the Independence Day celebration a memorable experience for the residents and citizens of Johnstown and that we can be very proud of the show that was put on, the assistance of the American Legion Post 254, and the hard work it took to pull the event together. He said he heard great comments from people; that event plus the Firemen's Festival and parade the week before makes Johnstown a special place, he recognized the committee and the hard work and said he looks forward to next year.

5. Mayor Recognitions: Johnstown HS Softball and Track

Mayor Dutcher read and presented the JHS Softball team with a proclamation for their outstanding 2021 season. Another certificate was presented to the team by Joyce Evans.

6. Action on Minutes

a. June 15, 2021

ACTION: Benjamin Lee moved to Approve; Carol Van Deest seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

7. Citizen comments on matters not on the agenda
No comments by the public.
8. Executive Session: To discuss imminent court action with legal counsel
Jim Lenner asked that Jack Liggett, Teresa Monroe, himself, and the Law Director join the session.

ACTION: Marvin Block moved that they go into Executive Session for the purpose of a potential lawsuit; Sharon Hendren seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

Executive Session began at 6:45 pm; Council returned to regular session at 7:20 pm.

9. Council Committee reports
 - a. **Planning & Zoning:** Met 6/22/21; Next 7/13/21 @ 6:30 pm Council Chambers
Work session on zoning code at the last meeting. Joint work session of Planning Commission and Village Council was scheduled for July 13, 2021 at 5:00 pm to review the Design Standards Ordinance tabled by Council.
 - b. **Safety & Service:** 7/6/21; Next 8/3/21 @ 5:00 pm Council Chambers
Discussion on energy aggregation, County Commissioner Bubb was present along with representatives from Palmer Energy, the County is looking at a county wide energy aggregation program for the election ballot; discussion to continue in Safety Service Committee. Talked about the Energy Cooperative substation upgrade off of Mink and proposal given to the village by the cooperative to purchase two acres of land adjacent to theirs and then a one hundred foot clear-cut from their current substation to Mink; committee voted 3-0 not to move forward with that because they did not want to see the park area and trees clear-cut and did not want to give up the ability for the village to utilize via right-of-way in that space and not in favor of selling two acres at this point. Reviewed construction projects; will be moving forward with thermoplastic to define property line from roadway at Ford and Coshocton Streets to maintain parking at the corner business. Mr. Block presented on the Tree Commission and Arborist recommendations for Main Street trees and the large oak at Trailhead Park; cost given for work needed is \$7,900, Ms. Klimchak to check on price reduction if all work is done at one time; decision made that the village would pay the costs for the Main Street trees and not the homeowner, discussion on

how to move forward with the expenditure in Finance Committee in two weeks. Talked about US 62 and Duncan Plains and the "water loop" that would take water down Duncan Plains to tie in another way to the Enterprise Center and also tie in the fifty acres on the other side of the street; we have bonded money not utilized toward the 310 expansion project, also on next Finance Committee for further discussion on total cost. Direction to add signage to Council Chambers/Admin entry doors.

- c. **Finance:** Met 6/15/21 updated last time; Next 7/20/2021 @ 5:00 pm Council Chambers
- d. **Economic Development:** 7/1/21 cancelled; Next 8/5/21 @ 10:00 am Admin Conference Room
- e. **Park & Rec:** Met 6/10/21 updated last time; Next 7/8/21 @ 10:00 am Admin Conference Room
- f. **Tree Commission:** Met 6/22/21; Next 7/27/21 Council Chambers
Planting two trees for Arbor Day, working on permission to plant one at the elementary school and one in front of the village admin building.
- g. **Events Committee:** Met 6/16/21 minutes attached and 6/30/21; Next TBD
Fireworks event was successful.

10. Director Reports

- a. Service Department: Water, Wastewater, Street
Jack Liggett reviewed the street, water, and wastewater department reports and highlighted some statistics. Ben Lee referenced the hydrant maintenance and asked if there had been any major issues come up that had not been planned for, "are we budgeted well for what we could come in contact with". Jack Liggett said right now we are doing ok, they are finding some felt seals that need replaced, have not seen any major problems at this point.
- b. Village Manager
Jim Lenner reviewed items in his report; Mayor Dutcher noted for the public record that the funds to pay for the Croton/Fairgrounds water and/or sewer project are County Commissioner funds. Some further discussion on potential sites for artwork throughout town.

11. Tabled Legislation

- a. **ORDINANCE 07-2021** AN ORDINANCE ADOPTING WAGE AND SALARY STRUCTURES FOR THE VILLAGE OF JOHNSTOWN. Tabled March 2, 2021
Mayor Dutcher said this will be considered at next Council meeting; remains tabled.
- b. **RESOLUTION 2021-21A** RESOLUTION TO ADOPT THE PROPOSED DESIGN REVIEW DISTRICTS AND STANDARDS AS PRESENTED. Tabled June 15, 2021
Joint work session of P&Z and Council scheduled to review; remains tabled.

12. Public Hearings of Legislation

- a. **ORDINANCE 23-2021** AN ORDINANCE AMENDING ORDINANCE 34-20, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE

NECESSARY CHANGES OF APPROPRIATIONS

Second reading. This is to pay the annual fee for Lexipol, law enforcement policy.

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

No debate by Council.

ACTION: Benjamin Lee moved to Approve; Cheryl Robertson seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

b. **ORDINANCE 24-2021** AN ORDINANCE AMENDING THE ZONING MAP OF THE VILLAGE OF JOHNSTOWN

Second reading. This rezones a property on US 62 from Light Manufacturing to GCC-2, it is identified as commercial on the Future Land Use Map and it was recommended to Council by the Planning and Zoning Commission 5-0; Ms. Klimchak said it will likely be developed into a hardware store.

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

No debate by Council.

ACTION: Marvin Block moved to Approve; Sharon Hendren seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 7 - 0

c. **ORDINANCE 25-2021** AN ORDINANCE AMENDING CHAPTER 1187 OF THE VILLAGE

OF JOHNSTOWN CODIFIED ORDINANCES AND ESTABLISHING A DESIGN REVIEW BOARD

Second reading.

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

No Council debate.

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

Passed 7 - 0

- d. **ORDINANCE 26-2021** AN ORDINANCE AMENDING SECTION 925.035 OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO IN ORDER TO SET SEWER TAP AND CAPACITY FEES CHARGED BY THE VILLAGE OF JOHNSTOWN AND DECLARING AN EMERGENCY

ACTION: Ben Lee moved to waive the second reading; Cheryl Robertson seconded and the vote was as follows:
AYES: Sharon Hendren, Carol Van Deest, Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Ben Lee
NOES: None
ABSTAIN: None

Passed 7 - 0

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

Jim Lenner said the reason staff is asking for an emergency is that we are in high growth mode in a lot of areas and currently under design of a new wastewater facility and want to ensure we are cognizant to the residents that pay sewer tap fees that everyone pays the respective amounts associated with the building. Mayor Dutcher drew attention to the added Section C.

No debate by Council.

ACTION: Marvin Block moved to pass Ordinance 26-2021; Carol Van Deest seconded and the vote was as follows:
AYES: Carol Van Deest, Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren
NOES: None
ABSTAIN: None

Passed 7 - 0

- e. **ORDINANCE 28-2021** AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO, AND DECLARING AN EMERGENCY.

This publishes Ordinances passed by Council.

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

Passed 7 - 0

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

Ben Lee said this is an emergency because this is coming from other legislative actions that are specific to our codified ordinances and must be included; need to be published.

ACTION: Benjamin Lee moved to Approve Ordinance 28-2021 as an emergency; Cheryl Robertson seconded and the vote was as follows:
AYES: Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest, Mayor Dutcher
NOES: None
ABSTAIN: None

Passed 7 - 0

- f. **ORDINANCE 29-2021** AN ORDINANCE AMENDING SECTION 921.06 OF THE CODIFIED ORDINANCES OF JOHNSTOWN, OHIO IN ORDER TO SET WATER TAP AND CAPACITY FEES CHARGED BY THE VILLAGE OF JOHNSTOWN AND DECLARING AN EMERGENCY

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

Passed 7 - 0

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

No Debate by Council.

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

Passed 7 - 0

- g. **RESOLUTION 2021-25** A RESOLUTION RECOGNIZING JUNETEENTH AS AN OFFICIAL HOLIDAY

The Juneteenth holiday was passed on short notice; Mr. Lenner said each staff member will be given eight hours of personal leave and then next year it will be an official holiday on the village calendar.

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

Mr. Lee asked if it would be easier for a payout if it is not used and could it be utilized next

year; Mr. Lenner said Directors have been instructed to make sure they find time for it.

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

Passed 7 - 0

13. Introduction of Legislation

a. **ORDINANCE 27-2021** AN ORDINANCE AMENDING CHAPTER 1105 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Recommendation to updated Chapter 1105 of the Codified Ordinances referencing Preliminary Plan Applications, they currently do not require preliminary plan for water, sewer, storm drainage and other utility systems, recommendation to include by Planning and Zoning by a 3-1 vote.

Public Hearing July 20, 2021

14. Other Business

1. Ms. Hendren asked about the city flag contest submissions; Park and Rec committee to review, entries will be sent out to greater Council.
2. Ms. Van Deest said that Park and Rec Committee will be getting the Joint Recreation District Board up and running.
3. 267 N. Main Street (old nursing home) called out for property maintenance and that it is becoming a public eyesore; Mr. Blair provided update on action.
4. Mr. Lee said he listed entities to thank on Facebook for the Fireworks Event but wanted to thank those present tonight; Council and Staff, the Events Committee, and the Police Department for planning and execution of the event.
5. Ms. Hendren noted August 21st Summerfest event

15. Adjourn

ACTION: Marvin Block moved to Adjourn; Cheryl Robertson seconded and all were in favor.
AYES: Mayor Dutcher, Cheryl Robertson, Doug Lehner, Marvin Block, Benjamin Lee, Sharon Hendren, Carol Van Deest
NOES: None

ABSTAIN: None

Passed 7 - 0

The meeting adjourned at 8:15 pm