



Village of Johnstown Regular Council Meeting Minutes Tuesday June 4, 2013

CALL TO ORDER AND ROLL CALL

Mayor Sean Stanart Called to Order the Village of Johnstown Regular Council Meeting for Tuesday June 4, 2013 at 7:00 p.m.

Roll Call: Mr. Kevin Riffe: absent; Mrs. Joyce Evans: present; Ms. Sharon Hendren: present; Mayor Sean Stanart: present; Mr. David Keck: present; Mrs. Carol Van Deest: absent.

IN ATTENDANCE – PUBLIC: Urvin Hartsock-American Legion Post 254, Harry Galbraith-American Legion Post 254, David Wigginton- Law Director, Cheryl Rosshirt, William VanGundy, Bruce Tolle, Gordon Cromwell, and Mike Folker-WCLT

IN ATTENDANCE – STAFF: Jim Lenner-Village Manager, Jack Liggett-Service Director, Glen Hacker-Service Dept., Chief Don Corbin-Johnstown Police Dept., and Teresa Monroe-Clerk of Council

INVOCATION: Given by Ms. Joyce Evans

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: May 21, 2013

Mr. Keck motioned to approve; Ms. Evans seconded. The vote was as follows: Kevin Riffe; absent, Joyce Evans; yes, Sharon Hendren; yes, David Keck; yes, Mayor Sean Stanart; yes, Carol Van Deest; absent. **The motion passed 4-0**

CORRESPONDENCE: Mayor Stanart shared the following correspondence received by the Village of Johnstown:

- a. Letter from Johnstown Fire Dept. Association, Inc. inviting Johnstown Village Council to participate in the Bicentennial Parade on June 22nd
- b. Thank you note from the Corbin family

c. Copy sent for our files - Licking County's Resolution entering into a Contract for Legal Representation with the Village of Johnstown. (In cooperation with the passage of Johnstown Resolution 13-18)

d. Public Notice – Ohio EPA- Re: New Albany Company, LLC

e. Letters of interest for open Village Council seat

MOTION - Ms. Hendren said that she would like to recommend extending the application deadline for the open Council seat.

Discussion: Mr. Lenner reviewed the original timing of events with Council and if the deadline could, in fact, be extended. Chris Speck's resignation was effective May 21st and Council has 30 days beginning May 22nd to appoint someone. The 30th day would be June 20th and the appointment would need to take place on or before that date. Two applicants were present for interview and two were scheduled to interview in a Special Council Meeting on Monday, June 10th. Mayor Stanart said he would support an extension to possibly this Friday but would not like to extend beyond one week. Mr. Lenner said his question for Council is that the Public Notice had already been run in the newspaper, posted at three public places in town, on our website and Facebook page, what more could be done to get the word out. If the new deadline were extended to the end of the week, we would be able to repost all Public Notices except the newspaper. Mr. Keck raised concern regarding the time schedule and that if notices could not be in all the places we would normally post them, it would give an advantage to someone who is interested and knows they missed the deadline, and keep another from applying who may be interested but would not see it in the paper. Ms. Hendren said that she just felt like it was hard to get the word out in Johnstown for some reason and would like to give every opportunity to anyone else who may be interested. It was determined that a new deadline could be extended until noon on Friday, June 7, 2013 and the interview process could continue as planned without having to schedule another special Council meeting.

Ms. Hendren motioned to extend the application deadline for Village Council until noon on June 7th, 2013. The motion was seconded by Mr. Stanart and the vote was as follows: Kevin Riffe; absent, Joyce Evans; yes, Sharon Hendren; yes, David Keck; no, Mayor Sean Stanart; yes, Carol Van Deest; absent. **The motion passed 3-1**

QUESTION FOR LAW DIRECTOR -Mr. Keck asked Mr. David Wigginton, who was present as Law Director for Johnstown, for a ruling on passing this motion with four Councilmembers present and one of whom voted no. Mr. Wigginton said that he would do some research while Council was in Executive Session and get an answer.

MOTION – Mayor Stanart asked for a motion to change the agenda and move the Public Comments ahead of the Executive Session so that guests did not have to wait. Ms. Hendren motioned and Mayor Stanart seconded. The vote was as follows: Kevin Riffe; absent, Joyce Evans; yes, Sharon Hendren; yes, David Keck; yes, Mayor Sean Stanart; yes, Carol Van Deest; absent. **The motion passed 4-0**

PUBLIC COMMENTS – Mayor Stanart opened the floor for public comment.

Mr. Harry Galbreth spoke on behalf of American Legion Post 254 and presented a cost breakdown worksheet for improvements at Bigelow Cemetery. They will receive 23 new markers once all of the release letters are signed and the V.A. will install them for \$75.00 each.

A new sign listing all the Veterans would cost \$2580.00. The new sign is necessary because they have found many more Veterans whose names are not included on the old sign. The total dollar amount needed is \$4305.00. Mr. Galbreth said that The Ohio State University's Anthropology Department would be performing the Ground Penetrating Radar service for free. A possible local donation of gasoline or food would be nice but not necessary. The date for that could be June 16th or 17-18th. That has not been determined yet. O.S.U. will also be out this Friday the 7th with another piece of equipment using Electromagnetic Imaging. The goal is to locate any unmarked graves or remains or unused space in the cemetery. Mayor Stanearth asked the American Legion to please report back after they meet with the Babcock Foundation.

No further comments were offered and Mayor Stanearth closed the floor for Public Comment.

EXECUTIVE SESSION – Mayor Stanearth asked for a motion to move to Executive Session for the purpose of interviewing two applicants present for the open Village Council seat. Ms. Evans moved and Mayor Stanearth seconded; the vote was as follows: Kevin Riffe; absent, Joyce Evans; yes, Sharon Hendren; yes, David Keck; yes, Mayor Sean Stanearth; yes, Carol Van Deest; absent. **The motion passed 4-0**

Executive Session adjourned at 8:20 pm

FINDING FROM LAW DIRECTOR- While Council was in Executive Session, Mr. David Wigginton had some time to research Mr. Keck's question of whether the motion to extend the deadline for accepting applications for the open Council seat would stand passing with a 3-1 vote. Mr. Wigginton advised that Johnstown's Charter specified that all action taken by Council shall be by a vote of no less than four members of Council and the Charter did not specify that the votes needed to be affirmative. Mr. Wigginton also had researched some past decisions that indicated the same. Regarding this motion, there is a quorum, and there are four votes. Upon the finding of the Law Director, the motion to extend the time frame for accepting applications for the open Council seat stands.

VILLAGE MANAGER REPORT: Mr. Lenner gave his report to Council

Council Committee and Commissions

Planning & Zoning did not meet on May 15th. They will meet again on June 5th to hear an application for an assisted living facility located in Chimes Terrace.

The next **School Liaison** group has not scheduled their next meeting.

Economic Development

Private Development

Greens of Khyber Run has started earth moving. They plan to be open August 2013.

The new infrastructure of Leafy Dell has been installed but not accepted by the Village. Maranda Homes has four homes under construction. We will not issue a certificate of occupancy until the infrastructure has been accepted.

Capital Improvement Projects

US-62 Repaving – ODOT has not indicated when this project will start.

Downtown Streetscape Phase I & II – ODOT has scheduled a preconstruction conference for June 6th.

US 62 Safety Improvements – See the legislative section for Resolution information.

Service Department Truck – We have ordered our second and final F-550 from Coughlin Ford. We will have the truck in service in 10 weeks.

Rolling Meadows Park – We have cut down the last of the trees. We are pricing new equipment to replace the equipment that was damaged in the June 29, 2012 wind storm.

Rec Center – The floor has been completed. We have painted the ceiling and will paint the walls on a rainy day.

Capital Improvement Plan – Please see attached. I have removed Douglas Street from 2014 and replaced it with the Pedestrian Bridge. Concord Road improvements are place holders at this time. We are working with the Engineer to finalize a Village-wide pavement plan and schedule.

Raccoon Creek Pedestrian Bridge - We have received information on this project from our Engineer. This application was submitted and approved in 2008 by Resolution #08-03. ODOT approved \$428,000 for associated construction costs. Engineering costs will be paid for by the Village at 100%. To save on future maintenance and up front costs, the bridge will be made of weathered steel which is shown below. The cost breakdown is as follows:

<u>Raccoon Creek Ped Bridge</u>	<u>Project Total</u>	<u>Village Portion</u>	<u>ODOT Portion</u>
Engineering	\$124,195.00	\$124,195.00	\$0.00
Bridge Construction	\$235,379.00	\$47,075.00	\$188,304.00
Sidewalk Construction	\$177,355.00	\$35,471.00	\$141,884.00
	\$536,929.00	\$206,741.00	\$330,188.00

Bride Style – Connector Truss from CONTECH

Connector® Truss

The Connector is one of the most familiar truss designs for both pedestrian and vehicular bridges. The standard Connector designs reach over a 200-foot clear span range for pedestrian and a 150-foot clear span range for vehicular. The Connector style truss features a parallel top and bottom chord and is available in both flat designs or cambered up to 1% of the span length.



Connector® Pedestrian Truss



Connector® Vehicular Truss



Administration

The Zoning Inspectors report for May is attached.

Dispatcher Landis is currently on medical leave until September 2013.

Legislation

Resolution #13-22 – This is legislation tabled at the May 21st, 2013 Council meeting. I have revised the funding chart to show payments for construction in SFY 2018 and SFY 2019

Item	Calendar Year	Fiscal Year	Village	LCATS	ODOT	Total Funding
Environmental	2015	FY2016	\$100,000	\$0	\$215,000	\$315,000
Detail Design	2016	FY2017	\$100,000	\$0	\$35,000	\$135,000
RW	2017	FY2018	\$100,000	\$0	\$0	\$100,000
Construction	2017	FY2018	\$200,000	\$0	\$0	\$200,000
Construction	2018	FY2019	\$200,000	\$800,000	\$2,255,200	\$3,255,200
		Total	\$700,000	\$800,000	\$2,505,200	\$4,005,200

Mr. Lenner also reported the Village's current Statement of Financial Assets and a Project status chart:

Statement of Financial Assets

Date	Cash	Investments	Money Market	Total
5/7/13	\$580,000.00	\$2,860,000.00	\$49,038.00	\$3,489,038.00
6/4/13	\$624,686.45	\$2,860,000.00	\$49,326.78	\$3,534,013.23

Project Number	Project Name/Description	Code*	Status (A) Active (C) Complete	Budget	Two Year Plan		Five Year Forecast					
					2013	2014	2015	2016	2017	2018	2019	
					Funded		Planned					
GF-2012-01	Zero Turn Mower	GF	C	\$9,000.00								
GF-2012-02	New B' Plow	GF	C	\$5,800.00								
GF-2012-03	Street Sweeper Repair	GF	C	\$2,800.00								
GF-2012-04	Elm & Payne Street Improvements	GF	C	\$120,000.00								
			2012 Subtotal	\$137,600.00								
GF-2013-01	Dump Truck	GF	A	\$30,000.00								
GF-2013-02	Hose for Jet Truck	GF	A	\$2,500.00								
GF-2013-03	Downtown Streetscape	GF	A	\$65,000.00								
GF-2013-04	Shelter House	GF	A	\$27,000.00								
GF-2013-05	US 62 Curbing (E. Coshocton to Ford)	GF	C	\$40,000.00								
GF-2013-06	US 62 Drainage (Kasson & Meadow)	GF	C	\$20,000.00								
			2013 Subtotal	\$184,500.00								
GF-2014-01	Raccoon Creek Ped Bridge Engineering	GF	A	\$125,000.00								
GF-2014-02	Raccoon Creek Ped Bridge Construction	GF	A	\$100,000.00								
GF-2014-03	Street Sweeper Repairs	GF	A	\$3,500.00								
GF-2014-04	Police Cruiser	GF	A	\$33,000.00								
GF-2014-05	Misc	GF	A									
			2014 Subtotal	\$261,500.00								
GF-2015-01	Concord Road Phase I	GF	A	\$400,000.00								
GF-2015-02	US 62 - 4.17 Environmental	GF	A	\$100,000.00								
GF-2015-03	-											
			2015 Subtotal	\$500,000.00								
GF-2016-01	Concord Road Phase II	GF	A	\$400,000.00								
GF-2016-02	US 62 - 4.17 Detail Design	GF	A	\$100,000.00								
GF-2016-03	-											
			2016 Subtotal	\$500,000.00								
GF-2017-01	US 62 - 4.17 Construction (1st Half)	GF	A	\$200,000.00								
GF-2017-02	US 62 - 4.17 Right of Way	GF	A	\$100,000.00								
GF-2017-03	-											
			2017 Subtotal	\$300,000.00								
GF-2018-01	US 62 - 4.17 Construction (2nd Half)	GF	A	\$200,000.00								
GF-2018-02	-			\$0.00								
GF-2018-03	-			\$0.00								
			2018 Subtotal	\$200,000.00								

LEGISLATION

Resolution 2013-22 - A Resolution Approving and Committing Capital Improvement Funds for US 62 Two Way Left Turn Lane (LIC-62 4.17) *This is legislation tabled at the May 21st, 2013 Council meeting*

MOTION: Mr. Keck moved to take Resolution 2013-22 off the table. Mayor Stanart seconded; the vote was as follows: Kevin Riffe; absent, Joyce Evans; yes, Sharon Hendren; yes, David Keck; yes, Mayor Sean Stanart; yes, Carol Van Deest; absent.

The motion passed 4-0

Resolution 2013-22 *Introduction/Public Hearing/Vote*

Mayor Stanearth opened the Public Hearing. Jim Lenner reviewed again the revised funding chart from his report. Mayor Stanearth closed the Public Hearing.

MOTION: Mr. Keck motioned to approve. Ms. Hendren seconded; the vote was as follows: Kevin Riffe; absent, Joyce Evans; abstain, Sharon Hendren; yes, David Keck; yes, Mayor Sean Stanearth; abstain, Carol Van Deest; absent. **The motion passed 4-0**

SPECIAL MEETING

Mayor Stanearth called for a Special Council Meeting for the purpose of interviewing applicants for the open Village Council seat. The meeting will take place on Monday, June 10, 2013 at 6:00 p.m.

ADJOURNMENT

There being no further business to come before Council, David Keck made a motion for adjournment; Mayor Stanearth seconded the motion. Motion passed 4-0. Thereupon, the meeting adjourned at 8:51 p.m.

Special Council Meeting – June 10, 2013

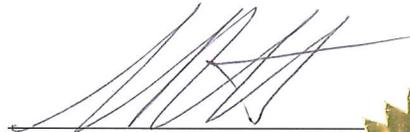
Next Regular Village Council Meeting – June 18, 2013

Respectfully submitted

APPROVED AS PRESENTED



Teresa Monroe, Clerk of Council
Administrative Assistant



Mayor Sean Stanearth

