Village of Johnstown
Regular Council Meeting Minutes
Tuesday, June 17, 2014

CALL TO ORDER
Mayor Sean Staneart Called to Order the Village of Johnstown Regular Council Meeting for Tuesday, June 17, 2014 at 7:01 p.m.

ROLL CALL: Cheryl Robertson; present, Bill Van Gundy; present, Bob Orsini; present, Sharon Hendren; present, Mayor Sean Staneart; present, David Keck; present, Carol Van Deest; present.

IN ATTENDANCE – STAFF: Jim Lenner-Village Manager, Jim Blair-Zoning Inspector, Chief of Police Don Corbin, Brian Sherrod-Police Department, Jack Liggett-Service Director, Glen Hacker-Service Department, Newt Long-Service Department, Teresa Monroe-Clerk of Council

IN ATTENDANCE – PUBLIC: Charlie Sullivan-American Legion Post 254, Ron A. Paulchel

INVOCATION: Given by Councilwoman Sharon Hendren

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: June 3, 2014

David Keck moved to approve the Council minutes as presented. Sharon Hendren seconded and the vote was as follows: David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Sean Staneart; yes
Motion passed 7-0

CORRESPONDENCE

A. Chief of Police Corbin recommendation on the Licking County Humane Society agent.

The Licking County Humane Society has an agent available to deal with animals that have been abused, abandoned or animals injured due to cruelty. The Humane agent services provided to Johnstown in the past have been a free however The Humane Society has cut funding and is now asking for monetary compensation of around $1300.00 per year in order to retain a humane agent for Johnstown. The yearly cost is based on the number of calls received by the Humane for that

community. In previous discussions, Council made the decision not to continue this service. The letter received May 28th, 2014 notified the Village of Johnstown that effective June 1st, 2014 the responsibility of these calls would now fall on our police department. Chief Corbin said the responsibility for the animals may include taking them to a veterinary clinic and the Village would be financially responsible for their care which could be costly. Chief Corbin recommends accepting the contract for the Humane Agent. Jim Blair said that the Humane Agent has been a good resource for him as well. Council requested an updated number on the calls received from Johnstown and cost estimate and to possibly have Lori from the Humane Society come and talk with Council members about the job duties of the Humane Agent.

PUBLIC COMMENTS: Mayor Staneart opened the floor for Public Comment.

A complaint was brought to the attention of Village Council regarding loud music at Bar vs. Grill at last Council meeting. The complainant was present again tonight and stated that the loud music is now on Saturday and Thursday nights also sometimes the music has profane lyrics . Jim Lenner said that they have pulled the past reports and he does have a draft in the works for a noise ordinance. The profanity is another matter and Mr. Lenner said that he would check on avenues for control. Chief Corbin had input on both for Council. Council also said that so far this complainant is the only one that has come to them and suggested that he talk with neighboring areas to get input on the noise level.

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

LEGISLATION

A. ORDINANCE NO. 03-2014 AN ORDINANCE RECOMMENDING TO THE VILLAGE COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF JOHNSTOWN IN ACCORDANCE WITH SECTION 1135 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF JOHNSTOWN *Second reading/Public Hearing*

Mr. Lenner said that the applicant no longer wishes to go forward with the zoning change request at this time. Jim Blair was asked if he knew of the applicant's timeline and said he cannot say whether or not the applicant would resubmit the request for this location. He said only that the timing of the passage of this Ordinance is not lining up with the applicant's architect's findings and what needs to be done through Licking County building codes. If the Ordinance is ever brought back to the table it would begin with the second reading and a Public Hearing.

David Keck moved to table Ordinance 03-2014. Bill Van Gundy seconded and the vote was as follows: Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Sean Staneart; yes, David Keck; yes.
Motion to table Ordinance 03-2014 passed7-0

B. ORDINANCE NO. 04-2014 AN ORDINANCE AMENDING CHAPTER 1177 SIGNS TO AMEND CERTAIN CRITERIA FOR SIGNS IN THE LIGHT MANUFACTURING (LM) DISTRICT *Emergency-Introduction /Public Hearing/Vote*

Mr. Lenner said that the Zoning Board has been looking at increasing allowable sign sizes for the Light Manufacturing (LM) district. This change would allow businesses in that district with larger buildings and larger lots to have larger signs. Jim Lenner noted section three contains the actual text change to the ordinance. Two things will change for the Light Manufacturing district; the definition of a monument sign and the allowable monument sign size will go from 50 to 150 square feet. The maximum allowed height will go from 15 feet to 20 feet. Mr. Lenner is asking to pass this ordinance as an emergency.

Mayor Staneart opened the floor for Public Hearing. There were no Public comments and Mayor Staneart closed the Public Hearing.

Council Discussion- Councilman Keck asked if there was a model for this change. Mayor Staneart said that Tech International had presented a sign design to the Planning and Zoning Board that would not be allowable with the current LM sign code and this is what spurred discussion among the Zoning Board that allowing larger signs in the LM district would be a good idea. Councilman Orsini asked if the Tech sign could be handled with a variance. Mayor Staneart said that with variances there are criteria that need to be met in order to be granted and it would not fit those criteria. The request for emergency passage also is to help Tech reach their goal of having the sign completed for their 75th anniversary in September. Additional changes noted by Council for consideration of this ordinance draft were that it should be tied to building size or parcel size. Council recommendation is to table this Ordinance draft and send back to the Planning and Zoning Board for further review and revision and then bring back to Council for approval.

Mayor Sean Staneart moved to table Ordinance 04-2014. Carol Van Deest seconded and the vote was as follows: Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Sean Staneart; yes, David Keck; yes, Carol Van Deest; yes.
Motion to table Ordinance 04-2014 passed7-0

C. <u>RESOLUTION 14-28</u> A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO APPOINT A POLICE OFFICER *Introduction/Public Hearing/Vote*

Jim Lenner said that he was able to sit in on the oral board interview given by Chief Corbin, Lt. Boudinot, and acting Sargent. Mr. Lenner said he was impressed by both candidates interviewed and asked Chief Corbin to explain the candidate chosen. Chief Corbin said the candidates name is Jared Harper; he is twenty five years old, single, has been in the Navy, and is a current Navy Reservist. He has a Bachelor's degree; he placed the highest on the written, the oral board, and the physical agility tests. Chief Corbin said that there were only two points between the two candidates tested and the second candidate has agreed to become one of our Auxiliary Police Officers and is hopeful that another full time position may become available. There was a third candidate who accepted a job position elsewhere. Candidate Harper has passed his drug test and his physical.

Mayor Staneart opened the Public Hearing. There were no public comments and Mayor Staneart closed the Public Hearing.

Bill Van Gundy moved to approve Resolution 14-28. Carol Van Deest seconded and the vote was as follows: Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Sean Staneart; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes.
Motion passed7-0

D. <u>RESOLUTION NO. 14-29</u> A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO AUTHORIZE FINAL PAYMENT TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL INSPECTION COSTS FOR THE SAFE ROUTES TO SCHOOL PROJECT *Introduction/Public Hearing/Vote*

Jim Lenner introduced the resolution and said that the Ohio Department of Transportation (O.D.O.T.) sent him an invoice in December 2013 for $10,370.00 for overages and inspection fees on the Safe Routes to Schools Project - that has been completed for 18 months. Mr. Lenner said that he has not paid it and frankly did not believe it was something we should be responsible for 18 months after the project was done. He said it is a great project but does not agree with their process of trying to recoup costs so long after completion. Mr. Lenner expressed his displeasure to O.D.O.T. with the timing and closing of the books on this project; he said we have gone through one and a half budgets since; there is no purchase order for this and Council could say no. Jack Liggett said that possibly in future projects we could request notification of ending O.D.O.T. funds that would give us a chance to adjust our budget. Mr. Lenner said that if Council desires to pay this then he would propose paying it out of our estate tax fund. Council expressed displeasure as to the lengthy close out as well and agreed there should be oversight and transparency. Council expressed the desire to table this resolution and for a public records request to O.D.O.T. with accounting from this project.

Mayor Staneart moved to table Resolution 14-29. Bob Orsini seconded and the vote was as follows: Bob Orsini; yes, Sharon Hendren; yes, Sean Staneart; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes.
Motion to table Resolution 14-29 passed7-0

<u>OTHER BUSINESS</u>

1. Mayor Staneart proposed holding a meeting next week and then cancelling the first meeting in July for the holiday. Council agreed and Mayor Staneart called for a Special Council meeting on June 24th, 2014 at 7:00 p.m. and the cancellation of the first meeting in July will be posted.

2. Jim Lenner updated Council on Concord Road and a discussion with the Licking County Engineer; possibly looking at a different way of rebuilding that road at a significant cost savings. The process discussed is called "Full Depth Reclamation" and it has been used on Sadie Thomas, Benner, and Woodhaven roads successfully. Engineering advice is that curb and gutter could be a problem using this process; water runoff from the road could be managed with ditches and swales. The potential for grant dollars has been reduced for this project by possibly by $300,000 so options are being considered. Mr. Lenner said that he would continue to get feedback and report further to Council.

Mayor Staneart said that the Executive Session would include members of Council only.

EXECUTIVE SESSION: Discussion to consider the employment and compensation of a public employee. **David Keck moved to enter into Executive Session.** Carol Van Deest seconded and the vote was as follows: Sharon Hendren; yes, Sean Staneart; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes. **Motion passed 7-0**

Executive Session began at 8:19 p.m. and concluded at approximately 9:30 p.m.

ADJOURNMENT: There being no further business to come before Council, Carol Van Deest moved to adjourn. Bob Orsini seconded and all were in favor. **Motion passed 7-0**.

Thereupon, the meeting adjourned at approximately 9:35 p.m.

RESPECTFULLY SUBMITTED

Teresa Monroe, Clerk of Council

APPROVED AS PRESENTED

Mayor Sean Staneart