



Village of Johnstown Regular Council Meeting Minutes Tuesday, July 15, 2014

CALL TO ORDER

Mayor Sean Stanearth Called to Order the Village of Johnstown Regular Council Meeting for Tuesday, July 15, 2014 at 7:00 p.m.

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

IN ATTENDANCE – STAFF: Jim Lenner-Village Manager, Jim Blair-Zoning Inspector, Jack Liggett-Service Director, Glen Hacker-Service Department, Newt Long-Service Department

IN ATTENDANCE – PUBLIC: Gordon Cromwell-Commander of American Legion Post 254, Marvin Block-Chairman of Planning and Zoning Commission, Jerry Pulley, Bruce Koplowitz

INVOCATION: Given by Councilman David Keck

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- A. June 17, 2014
- B. June 24, 2014

David Keck moved to approve the Council minutes en bloc as presented. Bill Van Gundy seconded and the vote was as follows: Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Sean Stanearth; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes.

Motion passed 7-0

SWEARING IN :

- A. Full time Police Officer Jarad Harper
- B. Auxiliary Police Officer Jared Cooper.

Both officers took the oath of office given by Mayor Sean Stanearth and were sworn in service to the Village of Johnstown.

Both officers were congratulated by Village Council members.

CORRESPONDENCE

- A. Petition for proposed ordinance to amend Village charter – Jim Lenner said the petition was received by the Village and must be certified through the Board of Elections. If certified, Johnstown would be required to add a ballot issue for residents asking for a change to the Village charter that would allow collective bargaining for Village employees. Currently by statute in the State of Ohio you need a population of at least 5,000 residents for collective bargaining.
- B. Resident Thank You to Officer Bowman
- C. Poker Run flyer – Organizers were present to discuss event details and parking arrangements with Council and staff.

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

Marvin Block inquired on the status of lawsuits brought against the Village. Mr. Lenner said one was settled at the end of June and one is currently in litigation. Any agreements are available for inspection as a matter of public record.

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

VILLAGE MANAGER REPORT TO COUNCIL: June 3, 2014

Council Committee and Commissions

The Planning & Zoning Commission met on May 21st, 2014 to discuss multiple applications. Changes to the front of the old Kroger building for the new Tractor Supply Company were reviewed and conditionally approved. A zoning map amendment has been forwarded to Council (see Ordinance 03-2014) to change 122 W. Coshocton Street from residential to commercial. A new building will be constructed on the old Cellar Lumber property and the architectural plans were approved. A variance was approved for a sidewalk not being installed on one side of the road for Phase 6 of Leafy Dell due to extreme topography.

Economic Development Policy Commission – We will have our first Johnstown Economic Development Policy Commission on August 6th. The purpose of the first meeting will be to explain the reason for the Commission and introduce the members. The tentative timeline is an eight month process.

Economic Development

Future Business Park – Nothing new to report.

Private Development

We have received the final plan set for Leafy Dell Phase 6. Construction on the connector road will start soon.

Capital Improvement Projects

SR-37 Repaving – ODOT has stated the paving will start on July 10th. We have not been told which direction they will pave.

Raccoon Creek Pedestrian Bridge – We have received the right of way plans and are waiting on a proposal to have the Consultant acquire small pieces of property. We are still scheduled for construction next year.

US 62 Two Way Left Turn Lane – We have received the first phase cost estimate and are currently reviewing it. The proposed cost is \$199,345 of which the Village pays 10%. An updated cost estimate has been provided to the Village after ODOT and staff review. The updated estimate is \$188,646.

Businessman Parking Lot – We have the opportunity to use Permissive Vehicle Tax money to repay our Capital Improvement Fund for the curb work on S. Main Street. If we do that we can use the Capital Improvement Fund money to repave the Businessmen's Parking Lot. The Permissive Vehicle Tax fund is collected by the County Engineer as part of our gas tax receipts.

Administration

Multi-Agency Radio Communication System (MARCS) Upgrade – Ordinance #05-2014 will authorize the allocation of \$54,000 from the Estate Tax fund to the Capital Improvement Fund for the purchase of the radio system. This is in conjunction with a \$20,000 grant received by the Village.

*Also in the same ordinance is \$8000 for a new phone system that will improve communication and efficiency and save the Village about \$300 per month.

Alcohol Use Policy – I continue to draft the policy book that will be similar to New Albany's event guidebook that will govern all aspects of community events including alcohol.

Village Email – The email switch has occurred. Please let me know if you have problems.

Transportation Asset Management Plan – We have met with the Licking County Engineers office as well as the Village engineer to determine a cost effective way to rebuild Concord Road with general fund, OPWC, and borrowed money. We have determined an approach that will be the most cost effective versus the original curb/gutter design. We will curb/gutter the first phase (S. Main Street to 300' past Concord Crossing Drive. At that point, we will use a technique called full depth reclamation to rebuild to the corporation limit. According to the Federal Highway Administration, full depth reclamation is a recycling method where all of the asphalt pavement section and a predetermined amount of underlying materials are treated to produce a stabilized base course. The major advantages and benefits of full depth reclamation are as follows:

1. The structure of the pavement can be improved significantly without changing the geometry of the pavement and shoulder reconstruction.

2. It can restore old pavement to the desired profile, eliminate existing wheel ruts, restore crown and slope, and eliminate potholes, irregularities, and rough areas. Pavement widening operations can also be accommodated in the process. A uniform pavement structure is obtained by this process.
3. It can eliminate alligator, transverse, longitudinal, and reflection cracking. Ride quality can be improved.
4. Frost susceptibility may be improved.
5. The production cost is low, and only a thin overlay or chip seal surfacing is required on most projects.
6. Engineering costs are low.
7. Materials and energy are conserved, and air quality problems resulting from dust, fumes, and smoke are eliminated. The process is environmentally desirable, since disposal problem is avoided.

However, this process does not lend itself to curb/gutter. However it is significantly cheaper and will offset the potential loss of OPWC grant funding.

The pavement maintenance schedule is closer to reality. We have met with the Village engineer and a contractor to estimate the costs of crack seal, Onyx seal, and micro seal the neighborhood roadways. We have identified **6.8** lane miles of roadway that will receive all or some combination of pavement preservation techniques.

Sealed bids will be received on July 17th 11am for Bigelow Drive resurfacing. Also included in this contract is the saw cutting and patching of many large cracks in the pavement maintenance plan noted above.

We believe the pavement maintenance and Bigelow Drive resurfacing project will be at or near \$400,000 as previously noted in the TAM conversations.

Staff will meet with bond counsel on July 17th to discuss debt issuance options for the TAM project.

At this time, I am recommending the following schedule for the TAM project”

1. Maintenance Program - \$400,000 debt issuance
2. Concord 1 & 2 – Proposed \$290,000 in OPWC grant, \$316,000 in OPWC 0% loan and \$200,000 in debt issuance. Phase 1 will be constructed with curb and gutter while Phase 2 will utilize the full depth reclamation technique saving \$400,000.
3. S. Kasson Street – Proposed \$210,000 in debt issuance. This is possible by the signification reduction in costs from Concord Road.
4. W. Jersey Street - \$734,000 in debt issuance.

Park & Recreation – The picnic tables for the shelter house have been delivered to the Village office. We will assemble and install the week of June 2nd.

Utility Billing – We will be switching to a third party that will send our water bills. The new bill will be a full page and be delivered in an envelope. Smart Bill will provide this service at a cheaper cost that we can provide with our staff.

Belt Park/JYAA Telecommunications Tower – I submitted a letter to the tower consultant expressing the Village’s objection to the height and placement. I have not heard back. I also met with the President and Vice President of the JYAA to discuss potential options. I am evaluating their request and our ability to fulfill (or not) their request.

Charter Amendment Petition – The Village received 235 signatures to place a Charter amendment on the November 2014 ballot. The language of the amendment is below. We are working to with the Law Director on the proper procedure to address the petition.

**ARTICLE III
COUNCIL**

In providing for the wages, hours, terms and conditions of employment for all employees within the Village, Council shall adhere to the provisions set forth in Chapter 4117 of the Ohio Revised Code regarding collective bargaining as if the Village were a Public Employer as defined in Chapter 4117.

This amendment shall become effective on January 1, 2015, and any ordinances in effect at that time, relating to wages, hours, terms and conditions of employment, shall be amended or repealed as determined by the results of the ORC 4117 process.

New Albany Zip Code Change – The City of New Albany has received a letter of support from the City of Pataskala to switch the zip code. The City of New Albany is asking for a conditional letter of support from Johnstown. If we were to issue any letter is must state the approval is conditional on the school district boundaries between New Albany and Johnstown never change. The City of New Albany and the JMSD Superintendent are meeting on July 23rd to discuss the issue.

*Councilwoman Sharon Hendren noted that she is against the zip code change.

Respectfully Submitted,

Jim Lenner

MOTION

Councilman Bill Van Gundy motioned to deny New Albany’s request for a conditional letter of support for the zip code change. Sharon Hendren seconded and the vote was as follows: Bob Orsini; yes, Sharon Hendren; yes, Mayor Sean Stanearth; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes. **Motion passed 7-0**

DISCUSSION – Businessmen’s parking lot

There was discussion on Businessmen's parking lot highlighted in the manager report. Topics discussed were possible revenue to support the parking lot, weight limits and wear to the parking area, adding parking restrictions, and local business involvement. Mayor Stanearth said that he would like to see some plan for researching these topics. Ms. Van Deest said the research could be tasked to the Safety and Service committee. Committee members are Sean Stanearth, Bill Van Gundy, Sharon Hendren and a meeting will be scheduled.

MOTION

Councilwoman Carol Van Deest motioned to use Capital Improvement Fund money to repave Businessmen's Parking Lot once a plan has been established. Bill Van Gundy seconded and the vote was as follows: Sharon Hendren; yes, Mayor Sean Stanearth; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes.

Motion passed 7-0

DISCUSSION: Transportation Asset Management

Jim Lenner said that staff met with the county engineer to go over the previously discussed Full Depth Reclamation process for Concord road. A plan discussed was full curb and gutter through the first phase, which is just past the lift station on Concord road then transitioned to the reclamation process with appropriate drainage and sidewalk on the second phase significantly saving approximately \$500,000. Staff and engineers continue to identify ways to improve as many miles of Village roadway as possible.

MOTION

Mayor Sean Stanearth asked for a motion to move Agenda Legislation before Executive Session.

Councilwoman Carol Van Deest moved to approve. Bob Orsini seconded and the vote was as follows: Sharon Hendren; yes, Mayor Sean Stanearth; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes.

Motion passed 7-0

LEGISLATION

A. ORDINANCE 05-2014 AN ORDINANCE AMENDING ORDINANCE 15-13, THE ANNUAL APPROPRIATION ORDINANCE OF THE VILLAGE OF JOHNSTOWN TO APPROVE NECESSARY CHANGES OF APPROPRIATIONS AND DECLARING IT AN EMERGENCY

Mr. Lenner said this is for the MARCS radio system and the internal Village phone system. The ordinance moves money out of the Estate tax fund into the C.I.P. fund.

Mayor Stanearth moved to approve. David Keck 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, Mayor Sean Stanearth; yes.

Motion passed 7-0

B. RESOLUTION 14-31 A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A REAL ESTATE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR RIGHT OF WAY ACQUISITION AND APPRASIAL FOR THE RACCOON CREEK PEDESTRIAN BRIDGE (PID NO. 86028)

Mr. Lenner introduced the resolution as a typical O.D.O.T. agreement and the total cost estimated right now is \$40,000.

David Keck moved to approve. Carol Van Deest seconded and the vote was as follows: Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Mayor Sean Stanearth; yes, David Keck; yes.

Motion passed 7-0

Mayor Stanearth said there will be two Executive sessions for the same purpose. The first will be Council members only and the second will include Council members and Village Manager Jim Lenner.

EXECUTIVE SESSION #1: Evaluation and Compensation of a Public Employee

Bill Van Gundy moved to enter Executive Session. Sharon Hendren seconded and the vote was as follows: Cheryl Robertson; yes, Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Mayor Sean Stanearth; yes, David Keck; yes, Carol Van Deest; yes. **Motion passed 7-0**

Executive Session ended

EXECUTIVE SESSION #2: Evaluation and Compensation of a Public Employee

Mayor Sean Stanearth moved to enter Executive Session. David Keck seconded and the vote was as follows: Bill Van Gundy; yes, Bob Orsini; yes, Sharon Hendren; yes, Mayor Sean Stanearth; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes. **Motion passed 7-0**

Executive Session ended

OTHER BUSINESS

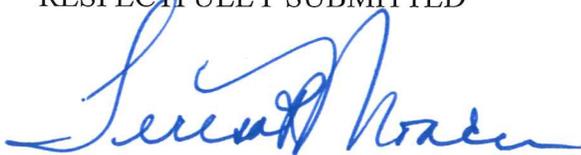
1. Bill Van Gundy said that he would like to address the Village Manager contract. Mr. Van Gundy said that at this time the contract is with Legal Counsel and he would ask for a motion to make the contract retroactive to tonight once it has been finalized with the Law Director.

MOTION – Bill Van Gundy confirmed the motion to make the Village Manager contract retroactive to this meeting, July 15, 2015. Cheryl Robertson seconded and the vote was as follows: Bill Van Gundy; yes, Bob Orsini; no, Sharon Hendren; yes, Mayor Sean Stanearth; yes, David Keck; no, Carol Van Deest; yes, Cheryl Robertson; yes. **Motion passed 5-2**

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

Thereupon, the meeting adjourned at approximately 9:30 p.m.

RESPECTFULLY SUBMITTED



Teresa Monroe, Clerk of Council

APPROVED AS PRESENTED



Mayor Sean Stanart

