



Village of Johnstown Regular Council Meeting Minutes Tuesday, August 19, 2014

CALL TO ORDER

Mayor Sean Stanart Called to Order the Village of Johnstown Regular Council Meeting for Tuesday, August 19, 2014 at 7:00 p.m.

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

IN ATTENDANCE – STAFF: Jim Lenner-Village Manager, David Wigginton-Law Director, Jim Blair-Zoning Inspector, Don Corbin-Chief of Police, Jack Liggett-Service Director, Newt Long-Service Department, Patti Barlitt-Service Department, Tim Perry-Service Department, Teresa Monroe-Clerk of Council

IN ATTENDANCE – PUBLIC: Gordon Cromwell-Commander of American Legion Post 254, Charles Sullivan-American Legion Post 254, Matthew Whited, Gregory E. Ritterbeck, Keith Ferrell, Matthew Whited

INVOCATION: Given by Councilman Bob Orsini

PLEDGE OF ALLEGIANCE

CORRESPONDENCE: None

APPROVAL OF MINUTES: July 15, 2014

David Keck moved to approve the minutes as written. Bob Orsini seconded and the vote was as follows: Cheryl Robertson; yes, Bill Van Gundy; absent, Bob Orsini; yes, Sharon Hendren; yes, Mayor Sean Stanart; yes, David Keck; yes, Carol Van Deest; yes. **Motion passed 6-0**

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

1. Keith Ferrell - 297 Kyber Run Circle; commented that he read an article in the paper discussing the potential Collective Bargaining ability for the Police Department and has some comments and questions. Mr. Ferrell said that in his opinion, the newspaper article inferred that there was not an interest from Council to pass the Ordinance that would initiate a charter amendment to allow Collective Bargaining for Police Officers. Mr. Ferrell addressed Council in support of Collective Bargaining.

Mayor Stanart said that the passage of the Ordinance was procedural, not an endorsement or rejection by Council to the citizen initiative. The petition was verified and required legislation to be sent to the Board of Elections.

Ms. Van Deest said that a few things were troubling to her; she said that the way this was done was confusing because there was no dialogue from employees with Council on this issue ahead of time, also this would be something that could affect all village employees and other departments were not even aware of this petition. Citizens have passed on concerns to her about information given when being asked to sign the petition.

Mr. Lenner said that at 5,000 residents you can collectively bargain, he assumes that in 2020 the Village would have those numbers and in his mind, from an administrative standpoint, he has been preparing for that. Right now with the budget we have, we are spending in the deficit. Over the last few years we have shortened that gap; not reducing services or laying off people but just "tightening the belt". He too shares concerns about how the process was conducted and the information given to people when they were asked to sign the petition. Mr. Lenner said that we all live here and obviously no one wants to feel unsafe, however as an administration and a council as the policy makers, we need to balance a small amount of money. We are at one percent income tax and want to stay at one percent income tax. What the collective bargaining process will do and how it will affect plans that have been made for the next five years is uncertain at this point, but we will proceed as the voters wish.

Mayor Stanart said that whether or not this issue passes and employees have or do not have a contract, that we are still going to continue to do the very best we can for our employees within the confines of the budget.

2. Matthew Whited - 55 Edwards Rd.; commented that he was someone who had signed the petition. The petition was circulated by someone claiming to be a police officer and was told this was a petition to get more police officers. The actual written petition was not provided to him, he just signed based on what the officer was telling him as true. It was later he found out the petition was for collective bargaining. Mr. Whited said that he may have still signed it but he felt lied to not having been given the full issue. He said that ultimately the taxpayers will "write the check" at the end of the day. His concern is that things are done right and we have truthfulness.

Mr. David Keck said that it is a shame that petitioners seemed to have been selective to whom they gave information or asked to sign the petition, no one explained this issue or asked him or anyone else from council to sign. Also he feels that as council and as having a point of view for the whole village and all of the employees that this puts council in a rough spot because it makes it look like you're either for the police or against the police and he said that is grossly misrepresented. The public deserves to know what both sides of this would look like so they can make an informed decision.

3. Gregory Ritterbeck – Zanesville, Ohio; said he was a deputy sheriff for fifteen years and has worked with the Johnstown officers and spoke very highly of them. Mr. Ritterbeck talked in favor of unions and collective bargaining and urges support of the police officers of Johnstown.

Mr. Lenner said that he believes Council has supported the police officers and previously passed a four step pay increase for the officers. He said there are water, sewer, and street employees that have been here for twelve years and aren't at the top of their pay scale; yet there are officers that have been here only four years that are at the top of their scale, some are exceeding their scale. Mr. Lenner restated that Council has supported the officers financially giving the officers what they can based on the current budget.

There were no further comments offered from the public and Mayor Stanearth closed the floor.

VILLAGE MANAGER'S REPORT TO COUNCIL August 19, 2014

Council Committee and Commissions

The Planning & Zoning Commission will meet on August 20th to review a certificate of appropriateness for Apeks Supercritical who is potentially building in the business park. Following that application, there will be a work session with a certified planner to review the basics of zoning and development planning.

Economic Development Policy Commission – Our first Commission meeting was held August 6th at Atrium Corp. The meeting went well and the Commission will move forward. I would like to thank Carol Van Deest and Cheryl Robertson for assisting with the breakfast and set up before the meeting.

Economic Development

Future Business Park – Nothing new to report.

Private Development

Leafy Dell Phase 6 has started with the road be rough cut. We do not have an estimate on final pavement of the road.

Capital Improvement Projects

SR-37 Repaving – The first course of asphalt was laid August 6th & 7th. No date has been given for the top coat.

Raccoon Creek Pedestrian Bridge – We are currently negotiating a contract with two consultants. One will provide right of way acquisition services and the other will review the appraisals to ensure fair market value. The final estimate for the project is \$626,607.81. (Corrected during meeting to an amount of \$595,000) The original estimate in 2008 was \$536,250.00. The grant pays for 80% of the projects construction costs and is capped at \$429,000.00. This means the total the Village will pay is \$197,607.81. Remember the Village pays 100% of the engineering costs. As part of the 2014-2018 Capital Improvement Plan, we allocated \$100,000 for construction of the bridge in 2015. The balance needed from the Village will be \$97,607.81. Based on income tax estimates (of which 28% goes to capital improvements) for 2015, we will have \$19,000 in unencumbered CIP funds. We also have \$683,012.90 in our

Estate Tax Fund. We can also stop the project. At this point, I would recommend using the Estate Tax Fund to finance the balance of the project (\$97,607.81).

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. We are waiting on final comments from ODOT in which we will forward to the consultant.

Businessman Parking Lot – We have requested but not received \$67,000 from the Licking County Engineer. The Commissioners have approved a resolution but we have not received the check.

Administration

Finance Director Search – We received six applications. Based on Council’s direction, we will set up interviews.

Multi-Agency Radio Communication System (MARCS) Upgrade – Nothing new to report.

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

Transportation Asset Management Plan – We have completed the crack sealing portion of the maintenance plan. We are meeting with our contractor the week of August 18th to discuss the pavement repairs and roadway sealing.

Ordinance #07-2014 will allow the Village to issue up to \$2,500,000 for the purpose

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. Construction in 2015.
3. S. Kasson Street – Proposed \$210,000 in debt issuance. This is possible by the signification reduction in costs from Concord Road. Construction will be in 2016.
4. W. Jersey Street - \$734,000 in debt issuance. Construction in 2016.

Park & Recreation – Nothing new to report.

Utility Billing – The last post card style bill was mailed last week. We plan to switch to Smart Bill for the September water bill.

Belt Park/JYAA Telecommunications Tower – The JYAA Board has agreed to moving the tower to the location that was offered as an alternative to the first site. The alternative site was

the JYAA's first choice as well so everyone wins. They are working on the final negotiations with the contract.

Charter Amendment Petition – Nothing new to report.

New Albany Zip Code Change – A letter has been received by the City of New Albany. I believe there will be more discussions on this topic. Although this publication is dated it gives insight into the world of zip code boundary changes. I thought I'd share for its historical background on our situation.

<http://fas.org/sgp/crs/misc/RL33488.pdf>

Respectfully Submitted,
Jim Lenner

LEGISLATION

A. RESOLUTION 14-38 - A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mr. Lenner introduced the resolution and said that the county auditor believes we will collect just a little bit more next year in property tax; it is better than a negative. This resolution is procedural.

David Keck moved to approve Resolution 14-38. Carol Van Deest seconded and the vote was as follows: Bob Orsini; yes, Sharon Hendren; yes, Mayor Sean Staneart; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bill Van Gundy; absent. **Motion passed 6-0**

B. ORDINANCE 07-2014 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,500,000 OF BOND ANTICIPATION NOTES FOR THE PURPOSE OF PAYING PART OF THE COSTS OF CONSTRUCTING VARIOUS STREET AND SIDEWALK IMPROVEMENTS IN THE VILLAGE, AND MATTERS RELATED TO SUCH NOTES, AND DECLARING AN EMERGENCY

Mr. Lenner introduced the Ordinance and said that this is one of the big milestones in our roadway improvement plans. One change is 17 years to repay instead of 25 years and the bond is not to exceed \$2,500,000. Joe Robertson covered the process of issuing bond and the upcoming bond rating meeting that will take place.

Mayor Staneart opened the floor for Public comment, hearing none, Mayor Staneart closed Public comment.

David Keck moved to approve Ordinance 07-2014. Carol Van Deest seconded and the vote was as follows: Sharon Hendren; yes, Mayor Sean Staneart; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; abstain, Bob Orsini; yes, Bill Van Gundy; absent. **Motion passed 5-0 with one abstention.**

OTHER BUSINESS: None

Mayor Stanearth said the first Executive session would include Legal Counsel David Wigginton and Village Manager Jim Lenner; neither session will have action after.

EXECUTIVE SESSION #1: Conference with an Attorney for Pending or Imminent legal action

David Keck moved to enter Executive Session. Carol Van Deest seconded and the vote was as follows: Mayor Sean Stanearth; yes, David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bob Orsini; yes, Sharon Hendren; yes, Bill Van Gundy; absent. **Motion passed 6-0**

Executive Session #1 began at 8:20 p.m. and ended at 9:05 p.m. with no decision after.

EXECUTIVE SESSION #2: To consider the employment of a Finance Director

Sean Stanearth moved to enter Executive Session. Bob Orsini seconded and the vote was as follows: David Keck; yes, Carol Van Deest; yes, Cheryl Robertson; yes, Bob Orsini; yes, Sharon Hendren; yes, Mayor Sean Stanearth; yes, Bill Van Gundy; absent. **Motion passed 6-0**

Executive Session #2 began at 9:06 p.m. and ended at 9:23 p.m. with no decision after.

ADJOURNMENT: There being no further business to come before Council, David Keck moved to adjourn. Sean Stanearth seconded and all were in favor. **Motion passed 6-0**

Thereupon, the meeting adjourned at approximately 9:24 p.m.

RESPECTFULLY SUBMITTED


Teresa Monroe, Clerk of Council

APPROVED AS PRESENTED


Mayor Sean Stanearth

