

JOHNSTOWN CITY COUNCIL
REGULAR MEETING MINUTES
WEDNESDAY, APRIL 14, 2021

City Council met in a stated session for the general transaction of business. Mayor Janakovic called the meeting to order at 5:58 p.m.

Reverend King offered the invocation. The Pledge of Allegiance was recited.

The following members of Council were present for roll call:

Mr. Arnone, Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (6).

Absent: Mr. Capriotti (1). Mr. Capriotti's absence was job related.

Daniel Penatzer, Interim City Manager; Elizabeth Benjamin, Esquire, City Solicitor (via telephone); John Dubnansky, Economic Development Director; Bruce Graham, Gibson-Thomas Engineering; Jared Campagna, Public Works Director; Robert Ritter, Finance Director; Chad Miller, Interim Police Chief; and Robert Statler, Fire Chief, were also present.

APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the Special Meeting Minutes of February 17, 2021; Public Hearing Minutes of March 10, 2021; Regular Meeting Minutes of March 10, 2021. The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mr. Arnone, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock, Mr. Vitovich (6).

Nays: None (0).

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

None.

PUBLIC COMMENT - AGENDA ITEMS ONLY:

None.

REPORTS:

CITY MANAGER:

Daniel Penatzer, Interim City Manager, reported on Sheetz submitting a request in December of 2020 for a transfer of a liquor license into the City for its Central

Avenue store. He noted this would normally require a public hearing and Council resolution for approval, but since the request was never acted upon, pursuant to PLCB regulations, after 45 days that request is deemed to be approved. He stated the license is in the process of being approved by the PLCB. There was further discussion regarding as to whether this request should be allowed.

Ms. Benjamin will review the matter further.

Mr. Penatzer reported on Jack Williams submitting an inquiry questioning whether an assistant manager position was properly addressed in the wage ordinance. Mr. Penatzer verified that it was or would be in compliance prior to the position being filled.

The Interim City Manager will be meeting with Deborah Grass, Act 47 Coordinator, the week of April 26 for discussion regarding the City's exit strategy.

MAYOR:

Mayor Frank Janakovic, on behalf of himself and Council, welcomed Mr. Penatzer as the new Interim City Manager.

The Mayor noted his attendance at a Zoom meeting with Senator Casey and other Western Pennsylvania mayors regarding the CARES Act and funding guidelines.

He welcomed Mike Tedesco, the new President of Vision Together 2025.

Mr. Janakovic deferred discussion of funding for the train station, Inclined Plane and the Main Street Project to John Dubnansky, Economic Development Director. Mr. Dubnansky discussed the Raise program, a new grant program through the federal government that would provide money for the Main Street Greenway Project and other projects as well.

The Mayor noted his participation at a Zoom forum that addressed the overall effect of COVID on the City, its finances, businesses and citizens.

He congratulated Maestro James Blachly, Johnstown Symphony Orchestra, on his Grammy Award. The symphony plans to play at different sites in downtown Johnstown in May.

Mayor Janakovic reported a Zoom meeting was recently held with the local realtors association to discuss different matters, including the demolition of blighted properties and how the association could work together with the City.

The Mayor noted his attendance at recent Chamber of Commerce and JARI Growth Fund meetings.

Mr. Penatzer was asked to explain the Johnstown Flood Tax. He noted it was a tax put on after the 1936 Flood, which the state continues to collect. There was further discussion regarding the matter.

CITY SOLICITOR

Elizabeth Benjamin, Esquire, City Solicitor, had no report but would address items on the agenda as needed.

CITY ENGINEER

Bruce Graham, Gibson-Thomas Engineering, reported on working with Jared and Steve on a memo, which Ms. Benjamin will pass along.

Mr. Graham indicated that RDM was finishing up and close to having the lower half of the fill site completely done and ready for use. He stated drawings were available for review. Mr. Graham stated the first lift to the first tier has been completed and layered with textile material to maintain and stabilize it. He noted a request was received to hold the bid for a period of time for further evaluation, which he stated would not be a problem. The GJWA was requested to provide a copy of the financial situation at this point, which included approximately \$40,000 for two months' equipment rentals plus labor and material charges.

Mr. Graham and Mr. Campagna are working on price options for municipal street paving. There was discussion regarding current demolition projects.

Mr. Campagna noted there were two part-time employees in place to assist with the grass cutting.

Mr. Dubnansky indicated there was an internal master list of approximately 100 demolition projects available based on funding.

Mayor Janakovic inquired if there were ordinances in place regarding cars being parked in yards. Ms. Benjamin explained she would review the current ordinance regarding the matter for further discussion at the next meeting. It was

noted that cars cannot be parked on properties where demolition was completed with the use of HUD funding.

Interim Chief Miller explained the abandoned vehicle matter was being addressed, and noted that tow companies were running out of places to put the vehicles.

Mr. Campagna indicated the street sweeper was in full operation.

COUNCIL UPDATES/NEIGHBORHOOD LIAISONS

Reverend King noted L&D Multicultural School of Beauty and Barber had recently opened in Geistown, and all were invited to attend the grand opening.

Reverend King commented that multiple clinic sites opened for people to receive the COVID vaccine, including one in the Coopersdale section on April 15, 2021, starting at 2:00 p.m. Conemaugh and Windber Hospitals will also have them available.

She stated Tuesday, April 27, 2021, at 6:00 p.m., a community meeting would be held at the Minersville Playground.

Mrs. Mock reported that work would commence on the community gardens starting with the Laurel Avenue garden on Saturday, April 17, 2021. Soil donations were received.

Sidewalks were being swept in the West End.

She stated a group of students from UPJ recently helped to clean up the neighborhood.

Mr. Vitovich reported that Public Works had been patching potholes weather permitting. The street sweeper was regularly cleaning streets. Gravel was being cleared from sidewalks and highway medians.

He noted two rooms at City Hall were being remodeled. Yard waste was being picked up. Storm lines were being cleaned in the Moxham area. Homes designated for demolition in Prospect were being razed.

Mr. Arnone, as a representative of the GJWA, reported that sewer lines were being cleaned in preparation for the upcoming sewer line construction that would commence in early May in the Central Business District. The GJWA will provide construction update schedules before construction begins. He stated

over 2,000 feet of sewer mains were inspected in the month of March and 700 feet of main lines were jetted and cleaned. He noted 31 successful pressure tests completed in March, bringing the total number of successful pressure tests to 224. Notification continued to be sent out to customers who had not completed pressure testing. TV commercials were running.

Mr. Arnone stated the JRA was in the process of cleaning the Laurel Run siphon that would significantly improve the sewer collection system in the West End. Sewer construction resumed dumping at the site. He noted the breakdown of costs as of April 12, 2021.

Mr. Arnone, as Council's representative to the Housing Authority, provided an update on statistical information related to the population of the public housing communities located in the City of Johnstown. He noted, as of March 31, 2021, the total population of public housing communities was 2,617. Section Eight voucher holders in the City totaled 831, for a total of 3,448, and assisting 46 percent of people living in poverty.

Vaccination clinics within the residencies were scheduled, starting with the elderly and disabled residents and continuing to the rest of the communities by the end of summer. He commended Richland Family Health on its tireless efforts and Acting Executive Director Michael Alberts for his quick action to make the vaccine available.

Mr. Britt thanked LCB for working with the school to get things fixed up.

Mayor Janakovic noted that the Taste and Tour was scheduled for Saturday, May 29, 2021. Mrs. Mock commented that the tickets may be sold out for the event.

1. March 15, 2021 letter from Susan Bopp re: Civil Service Board. The matter would be addressed under Motions.

PETITIONS:

None.

ORDINANCE FOR FINAL READ:

BILL NO. 3 OF 2021, AN ORDINANCE AUTHORIZING EXEMPTIONS, DEDUCTIONS, ABATEMENTS AND CREDITS FOR REAL PROPERTY, EARNED INCOME TAX, NET PROFITS, MERCANTILE AND BUSINESS PRIVILEGE TAXES WITHIN A SPECIFIC GEOGRAPHIC AREA IN THE CITY OF JOHNSTOWN DESIGNATED AS A PROPOSED KEYSTONE

OPPORTUNITY ZONE (KOZ) IN ORDER TO FOSTER ECONOMIC OPPORTUNITIES, STIMULATE INDUSTRIAL, COMMERCIAL AND RESIDENTIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURE DETERIORATION WITHIN AREAS OF CAMBRIA COUNTY, CITY OF JOHNSTOWN AND GREATER JOHNSTOWN SCHOOL DISTRICT JURISDICTION, COMMONWEALTH OF PENNSYLVANIA, UPON CERTAIN TERMS AND CONDITIONS.

Mrs. Mock made a motion to table the ordinance. The motion was seconded by Mr. Britt.

The motion passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich, Mr. Arnone (6).
Nays: None (0).

ORDINANCE FOR FIRST READ:

BILL NO. 4 OF 2021, AN ORDINANCE AMENDING ORDINANCE 5305 PASSED FINALLY ON NOVEMBER 18, 2020, AMENDED BY ORDINANCE 5311 PASSED ON MARCH 10, 2021 AS THE CITY OF JOHNSTOWN ANNUAL BUDGET TO REFLECT ADDITIONAL EXPENDITURES FROM THE CAPITAL FUND FOR REFURBISHING OF CITY HALL THAT WAS APPROVED IN THE 2020 BUDGET BUT WILL BE EXPENDED IN 2021 FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING.

Mr. Vitovich made a motion to approve the ordinance. The motion was seconded by Mr. Arnone and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Arnone, Mr. Britt (6).
Nays: None (0).

RESOLUTIONS

Resolution No. 10417

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR ANY OF HIS DESIGNEES TO SIGN AND TAKE ANY/ALL ACTION NECESSARY TO EFFECTUATE A LOAN SUBORDINATION AGREEMENT FOR THE (ELKS) FLOOD CITY LODGE

CONTINGENT UPON AND FOLLOWING CONFIRMATION OF
SOLICITOR REVIEW AND APPROVAL.

Mr. Vitovich made a motion to approve the ordinance. The motion was seconded by
Mr. Arnone

The motion passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Arnone, (5).

Nays: None (0).

Abstention: Mr. Britt (1).

There was discussion with regard to a request by Council to obtain a monthly report
from the loan committee.

Resolution No. 10418

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER
AND/OR HIS DESIGNEE TO EXECUTE AND TAKE ANY/ALL ACTIONS
NECESSARY TO EFFECTUATE AN APPLICATION FOR FUNDING
ASSISTANCE FROM THE PENNSYLVANIA DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT IN THE AMOUNT OF
\$50,000 THROUGH THE KEYSTONE COMMUNITIES PROGRAM TO BE
USED TOWARDS THE IMPROVEMENT OF COMMERCIAL BUILDING
FACADES WITHIN THE CITY OF JOHNSTOWN.

Mr. Arnone made a motion to approve the ordinance. The motion was seconded by
Mr. Vitovich.

Mr. Dubnansky noted \$50,000 is the maximum amount that can be requested with the
business owner requesting façade improvement to match those funds. He noted
this would include a minimum of ten projects throughout the City.

The motion passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Arnone,
Mr. Britt, Mayor Janakovic (6).

Nays: None (0).

Resolution No. 10419

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, SUPPORTING A PETITION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD (BOARD'S) BY THE CITY OF JOHNSTOWN FOR THE PROPERTY KNOWN AS 20 MATTHEWS STREET FOR SUBSTITUTION OF THE CITY OF JOHNSTOWN'S NOISE ORDINANCE FOR SEC. 493(34) OF THE LIQUOR CODE.

Mr. Arnone made a motion to approve the ordinance. The motion was seconded by Mr. Vitovich.

Mr. Arnone explained the owner of this business needed the ordinance passed in order to book bands in the future. Mrs. Mock noted this was a renewal.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Britt,
Mayor Janakovic, Reverend King (6).
Nays: None (0).

Resolution No. 10420

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, CONFIRMING AND RATIFYING THE AUTHORITY OF THE INTERIM CITY MANAGER TO DESIGNATE AN ACTING CITY MANAGER WHEN NECESSARY AND FURTHER LIMITING THE APPLICATION OF CITY COUNCIL'S STANDING DESIGNATION OF AN ACTING CITY MANAGER EFFECTIVE APRIL 1, 2021.

Mr. Vitovich made a motion to approve the ordinance. The motion was seconded by Mr. Arnone.

Mr. Penatzer noted this resolution clarified the confusion over the years as to when the appointment of an Acting Manager is required. He explained that in the absence of the City Manager or the Interim City Manager being totally incapacitated, that that person would remain the City Manager and it was up to that City Manager to name an Acting Manager.

The motion passed by the following vote:

Yeas: Mr. Vitovich, Mr. Arnone, Mr. Britt, Mayor Janakovic,
Reverend King, Mrs. Mock (6).
Nays: None (0).

Resolution No. 10421

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, APPROVING AND
AUTHORIZING THE INTERIM CITY MANAGER AND/OR HIS
DESIGNEE(S) TO TAKE ANY/ALL ACTIONS NECESSARY TO
EFFECTUATE AN EXTENSION AGREEMENT BETWEEN THE CITY AND
JOHN K. TRANT, JR., D/B/A STRATEGIC SOLUTIONS, LLC FOR
TRANSITIONAL CONSULTING SERVICES AS NEEDED AND
CONTINUING THROUGH MAY 31, 2021.

Mr. Vitovich made a motion to approve the ordinance. The motion was seconded by
Reverend King.

Mr. Penatzer noted there was one legal matter that Mr. Trant is required to participate
in and there was one additional meeting scheduled with him in the near future.

Mayor Janakovic commended Mr. Trant for helping the City move forward.

The motion passed by the following vote:

Yeas: Mr. Arnone, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock, Mr. Vitovich (6).
Nays: None (0).

Resolution No. 10422

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE INTERIM
CITY MANAGER AND/OR HIS DESIGNEE(S) TO SIGN ALL
DOCUMENTS AND TAKE ANY/ALL ACTIONS NECESSARY TO
EFFECTUATE THE PURCHASE OF SEVEN (7) SETS OF FIREFIGHTER
PROTECTIVE CLOTHING SATISFYING NFPA STANDARDS FROM THE
WITMER PUBLIC SAFETY GROUP.

Mr. Arnone made a motion to approve the ordinance. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich, Mr. Arnone (6).
Nays: None (0).

Resolution No. 10423

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE INTERIM
CITY MANAGER AND/OR HIS DESIGNEE(S) TO SIGN ALL
DOCUMENTS NECESSARY TO EFFECTUATE AN AGREEMENT WITH
KAZA FIRE EQUIPMENT FOR AFTER MARKET MODIFICATIONS AND
VEHICLE UPGRADES, TO INCLUDE INSTALLATION OF EMERGENCY
LIGHTING PER FIRE DEPARTMENT SPECIFICATIONS.

Mr. Vitovich made a motion to approve the ordinance. The motion was seconded by Mr. Arnone and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Arnone, Mr. Britt (6).
Nays: None (0).

NEW BUSINESS

There was discussion with regard to making adjustments on the taxes previously paid on amusement machines that were not allowed to be used due to the COVID epidemic.

OLD BUSINESS

Mr. Britt resigned his appointment on the Planning Commission. Another Council member would be appointed.

Reverend King made a motion to nominate Mr. Capriotti. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Arnone,
Mr. Britt, Mayor Janakovic (6).
Nays: None (0).

MOTION

Mr. Vitovich made a motion to appoint Susan Bopp to the Civil Service Board. The motion was seconded by Mrs. Mock. Captain Miller explained the alternate member replaces an absent active member to make a quorum.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Arnone, Mr. Britt (6).
Nays: None (0).

PUBLIC COMMENT - NONAGENDA ITEMS

Andy Kasper commented on reading about the Johnstown Flood Tax in a Philadelphia newspaper and referred to it is an embarrassment, noting that the City should be receiving ten percent of that.

He further commented that as Reverend King suggested, he visited some of the Johnstown neighborhoods and discussed a property on Oak Street that was littered with trash and tires. Other portions of Hornerstown near the river wall also had trash scattered about and he wondered why the City was not addressing this. He suggested that the rivers be cleaned out also.

Mayor Janakovic commented that it was his understanding that the Johnstown Tax was imposed with a time frame.

Mayor Janakovic commended Mr. Kasper on his efforts to start a little league baseball team on D Street and on behalf of the City thanked him for his involvement with the Rotary Club and the City.

RECESS/ADJOURNMENT

There being no further business, the meeting adjourned at 7:12 p.m.

The next meeting is scheduled for May 12, 2021