

JOHNSTOWN CITY COUNCIL  
REGULAR MEETING MINUTES  
WEDNESDAY, JULY 8, 2020

City Council met in a stated session for the general transaction of business. Mayor Janakovic called the meeting to order at 6:00 p.m.

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

The following members of Council were present for roll call:

Charles Arnone, Ricky Britt (via telephone), Michael Capriotti, Mayor Frank Janakovic, Reverend Sylvia King, Marie Mock, David Vitovich (7).

John Trant, Interim City Manager; Elizabeth Benjamin, Esquire, City Solicitor; Jared Campagna, Public Works Director; John Dubnansky, Director of Economic Development; Robert Ritter, Finance Director; Robert Statler, Fire Chief; Robert Johnson, Police Chief; and Bruce Graham, Gibson Thomas Engineering; Brandon Palmer, EADS Group, were also present.

APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the Regular Meeting Minutes of May 13, 2020; Special Meeting Minutes of May 28, 2020; and Public Hearing Minutes of June 3, 2020. The motion was seconded by Mr. Arnone and passed by the following vote:

Yeas: Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (7).

Nays: None (0).

PUBLIC COMMENT - AGENDA ITEMS ONLY:

John DeBartola, 1197 Bedford Street, Johnstown, addressed the hiring of two additional police officers to begin the process of addressing the issues facing the City. He suggested the formation of a citizens' oversight committee to ensure success in transforming the police department.

He referred to Resolution 9 on the agenda regarding the approval of Mr. Trant for an additional term. Mr. DeBartola wanted Council to pass a motion to start a new search for a city manager and not just extend Mr. Trant for another six months.

He referred to Resolution 2 on the agenda regarding demolition of the Conrad Building and inquired, "Why it's taking so long to knock this building down." He suggested an investigation be conducted before passing the resolution.

REPORTS:

CITY MANAGER:

John Trant, Jr., Interim City Manager, reported that Council had recently received a letter that was distributed before the start of the meeting from Jeffrey Wilson of the Police Advisory Board regarding acceptance of the Department of Justice COPS grant that would afford the City the ability to hire two additional police officers.

Mr. Trant thanked all those involved in the Route 56 replanting and mulching project that had been recently completed. He noted the project was paid for by Wessel and Company through the Discover Downtown Johnstown partnership.

He indicated a local company had volunteered to repair the fountain in Central Park, which Mr. Campagna indicated would soon be in operation.

Mr. Trant reported the sewer deal was progressing. Signatures were being coordinated, and it was expected that Mr. Ritter would soon notify Council that the wire transfer of \$2 million had been received.

MAYOR:

Mayor Frank Janakovic and Mr. Dubnansky attended a virtual presentation of a check from SaverLife in the amount of \$15,000 to the Cambria County Library Children's Department to be used for improvements.

He noted the painting on Main Street was completed and paid for by volunteers. Mr. Britt thanked those who participated.

Regarding the sewer sale, Mayor Janakovic stated that "in one clean swoop" the City had handed off approximately \$120 million in sewage liability and the DEP Consent Order for completion by 2022. He stated the money would be used to pay off the approximate \$25 million pension liability and free up roughly \$2.8 million in the general fund.

Mr. Janakovic noted his attendance at a recent Vision 2025 Strategy Implementation Workshop for discussion of ideas.

The Mayor thanked Mr. Campagna and his crew for collecting a good portion of the tires left behind at the Tire Clinic on Cooper Avenue.

With regard to the Conrad Building, Mr. Janakovic stated the search was on for grant monies to demolish the building.

The Mayor deferred to Mr. Arnone for a report on the fountain in Central Park. Mr. Arnone knew the owner of BZ Pools and, in fact, had worked for him for 10 years. He would be the person to contact regarding the fountain repairs. He indicated the owner volunteered to do the repairs at no cost, which was a \$3,000 to \$4,000 savings to the City. The fountain was power washed, repaired, painted and would soon be up and running. Mr. Arnone suggested recognition be given to Bryan Zettle of BZ Pools for his tremendous work. Mr. Arnone added anyone damaging the fountain in the future would be responsible for repairs.

#### CITY SOLICITOR

Elizabeth Benjamin, Esquire, City Solicitor, stated she would address any issues on the agenda at the appropriate time they are discussed. She noted an amendment may be necessary to Bill No. 13 since 216 Clinton Street was not the correct address and should be changed to 126 Clinton Street. After further discussion, Ms. Benjamin stated the best approach would be to amend, table, post the resolution on the website and distribute a copy of the amendment at the next meeting. She will provide additional information when the matter is addressed in the Resolutions.

#### CITY ENGINEER

Brandon Palmer, EADS Group, referred Council members to the engineering report for review and further discussion.

He noted the work continues with regard to closing out the PennVEST loans. A final walkthrough with DEP was recently held for the Cambria City, Coopersdale, and Minersville project. The walkthrough for the Horner Street would be the following day, and the Eighth Ward and Moxham Phase II projects the following week.

He noted a few punch list items remain on the Kernville project came well under budget, so his group was working on two alternate projects to use up the balance of the money.

Mr. Palmer noted A. Liberoni was nearly 18 percent complete with pipe installation and Snyder was approximately 48 percent complete in the Old Conemaugh Borough section

Terra Works was approximately 76 percent complete with pipe installation on the Fairfield Avenue project and also working on the bore underneath the Norfolk Southern Railroad.

PennVEST funding for the Central Business District should be awarded by the end of the month.

Mr. Palmer noted three flood mitigation grants submitted to PA Small Water should be awarded by the end of August, including one for the Elk Run (Stackhouse Park) basin, one for the St. Clair Run wall collapse, and one for the Russell Avenue wall collapse.

He noted that A. Liberoni has more sidewalk work to do on Locust Street and then the downtown sidewalk project would be completed.

There was further discussion regarding the Fairfield Avenue project, including a temporary inconvenience that would be caused due to crews working at night on a certain portion of the project.

#### NEIGHBORHOOD LIAISONS

Mr. Capriotti had no report.

Mr. Arnone reiterated the Johnstown Housing Authority was slowly initiating some of the services previously halted. A majority of the business was still being conducted by phone, email, fax or mail. He noted the offices hours were Monday through Friday. He indicated the contractors had resumed all construction work. Work was anticipated to begin the middle of July on sanitary upgrades at the Town House Towers. Once that is completed, sanitary upgrades for all the City housing communities would be in compliance with the sewage mandate.

Mayor Janakovic suggested that trash cans be placed in the parking lots in Coopersdale.

Mr. Vitovich noted that Public Works assisted the Eagle Scout Project with regard to construction of pavilions and renovations at the Prospect Playground, cutting grass, installing storm drains on Boyer Street, and beginning structure repairs at the Public Safety Building. He commended Mr. Campagna and crew for doing a fantastic job.

Mrs. Mock reported the West End Improvement Group had placed 100 flower boxes about and the community gardens were doing well.

Reverend King noted her attendance at a recent Police Advisory board meeting. She indicated the hiring of two additional Johnstown police officers was supported.

Reverend King attended a Zoom meeting with the Johnstown Symphony Orchestra (JSO) and Alan Cashaw, President of the NAACP. A discussion was held on how music could be utilized to bring everyone together.

Reverend King and Mr. Britt were able to participate in a telephone conversation with elected officials from Brownsville, Washington County, New Castle, Aliquippa, and Uniontown for discussion of criminal justice, early childhood education, healthcare, and Medicare issues.

She stated the United Neighborhood Association donated some cameras to Public Works.

Mr. Britt thanked those who helped with the Main Street project.

Mayor Janakovic, Mr. Dubnansky, and Mr. Britt were recruiting younger people to help bring some sports back to the City.

Mr. Vitovich commented on a new football team that would like to play at Sargent's Stadium. Mr. Dubnansky was talking to the group, but an agreement was not yet in place.

#### COUNCIL UPDATES:

1. Planning Commission Minutes of June 3, 2020 for review.
2. June 9, 2020 letter from IAFF-Johnstown Firefighters re: contract negotiations.

#### PETITIONS

None.

#### PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

Fire Chief Statler presented a Life Saving award to Frank Kiefer, who on May 16, 2020, was able to get a ladder onto a roof and help residents escape a fire next door to his residence.

ORDINANCES FOR FINAL READ:

BILL NO. 13 OF 2020, AS AMENDED AN ORDINANCE AMENDING ORDINANCE 5280 PASSED FINALLY ON DECEMBER 23, 2019 CITY OF JOHNSTOWN BUDGET TO AMEND THE 2020 BUDGET TO REFLECT ADDITIONAL GRANT REVENUE RECEIVED AND RELATED EXPENDITURES WITHIN LINE ITEMS OF THE STATE GRANT FUND FOR DOJ COVID-19 GRANT; THE CDBG FUND FOR "CARES ACT" FUNDING; TRANSFERS FROM THE GENERAL FUND AND TO THE CAPITAL FUND FOR RENOVATIONS TO 216 CLINTON STREET, FEMA AND PEMA COVID-19 RELIEF AND PURCHASE OF A CHILLER FOR CITY HALL; AND TO ADJUST LINE ITEMS IN THE UDAG FUND TO ALLOCATE AN INCREASE IN EMERGENCY DEMOLITION FUNDS, FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING.

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

Mr. Vitovich made a motion to add the following language: TO AMEND BILL NO. 13 OF 2020 TO ADJUST ANY AND ALL REFERENCES TO 216 CLINTON STREET TO ACCEPT REFERENCE TO 126 CLINTON STREET AND THEN TO ADOPT AS AMENDED.

The motion was seconded by Mr. Arnone and passed by the following vote:

Yeas: Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Arnone (7).  
Nays: None (0).

ORDINANCES FOR FIRST READ:

BILL NO. 14 OF 2020, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN AMENDING ORDINANCE NO. 5102 PASSED JANUARY 25, 2012 TO ESTABLISH AND AMEND CERTAIN RESIDENTIAL RENTAL PROPERTY REGISTRATION AND INSPECTION REQUIREMENTS.

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

Mr. Dubnansky explained this ordinance had been on the books for a while and not been enforced for a couple of years.

The motion passed by the following vote:

Yeas: Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock,  
Mr. Vitovich, Mr. Arnone, Mr. Britt 7).  
Nays: None (0).

**BILL NO. 15 OF 2020, AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE NO. 5281 PASSED FINALLY ON DECEMBER 23, 2019, AS THE CITY OF JOHNSTOWN 2020 WAGE AND SALARY ORDINANCE TO REFLECT THE ADDITION OF 4 PART-TIME CODE ENFORCEMENT LABORERS WITH AN EFFECTIVE DATE FOLLOWING FINAL APPROVAL OF CITY COUNCIL**

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, Mr. Capriotti 7).  
Nays: None (0).

**BILL NO. 16 OF 2020, AN ORDINANCE PROVIDING FOR THE SALE OF REAL PROPERTY NOT NEEDED FOR PUBLIC USE BY THE CITY OF JOHNSTOWN.**

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

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic 7).  
Nays: None (0).

**RESOLUTIONS:**

**Resolution No. 10305**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE JOHNSTOWN AREA HERITAGE ASSOCIATION ("JAHA") PROVIDING FOR ACCEPTANCE OF A**

SPECIFIED PAYMENT AND OTHER CONSIDERATION AS A SATISFACTION OF BACK TAXES APPLICABLE TO PROPERTY LOCATED AT 662 MAIN STREET, ALSO LUDWIG HOUSE CURRENTLY UNDERGOING THE PROCESS TO BE PRESERVED AS A HISTORIC SITE.

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

Ms. Benjamin explained the City would be avoiding \$15,000 to \$20,000 of demolition costs as part of the consideration for this agreement as well.

The motion passed by the following vote:

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

Nays: Mrs. Mock (1).

Resolution No. 10306

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE JOHNSTOWN REDEVELOPMENT AUTHORITY TO PROVIDE FUNDING TOWARDS THE DEMOLITION OF A BUILDING LOCATED AT 303 FRANKLIN STREET IN JOHNSTOWN, PENNSYLVANIA.

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

There was further discussion regarding the resolution.

The motion passed by the following vote:

Yeas: Mr. Vitovich, Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock, (7).

Nays: None (0).

Resolution No.



A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND  
DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO  
ENTER INTO AN AGREEMENT WITH BISHOP MCCORT CATHOLIC  
SCHOOL FOR USE OF SARGENT'S STADIUM AND ROXBURY PARK.

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

Yeas: Mr. Arnone Mr. Britt, Mr. Capriotti, Mayor Janakovic,  
Reverend King, Mrs. Mock, Mr. Vitovich (7).  
Nays: None (0).

Resolution No. 10307

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND  
DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO  
ENTER INTO AN AGREEMENT WITH THE UNITED STATES  
DEPARTMENT OF JUSTICE FOR A \$250,000 GRANT TO SUPPORT THE  
COST OF TWO ADDITIONAL POLICE OFFICERS.

Reverend King made a motion to approve the resolution. The motion was seconded by Mr. Arnone.

There was further discussion regarding the resolution. Mr. Trant explained that Council could accept the grant with the stipulation that hiring would be delayed until after January 1, 2021.

Yeas: Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock,  
Mr. Vitovich, Mr. Arnone (7).  
Nays: None (0).

Resolution No. 10308

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER OR  
HIS DESIGNEES TO SIGN A CONTRACT FOR UPGRADING THE CITY'S  
SOFTWARE WITH FREEDOM SYSTEMS CORP. TO THE NEWEST  
VERSION AND BRINGING THE DATA USED IN THE SOFTWARE  
CURRENT.

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

Mr. Ritter explained that currently an outside service was being used to process payroll. With upgrades to the server, the Freedom payroll software could be utilized for payroll processing saving the City approximately \$18,000 a year. He stated additional upgrades had provided the City a savings of approximately \$35,000 annually in phone line and internet charges.

The motion passed by the following vote:

Yeas: Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock,  
Mr. Vitovich, Mr. Arnone, Mr. Britt (7).

Nays: None (0).

Resolution No. 10309

A RESOLUTION OF THE CITY OF JOHNSTOWN, PENNSYLVANIA,  
SUPPORTING THE PETITION TO THE PENNSYLVANIA LIQUOR  
CONTROL BOARD ("BOARD'S") BY THE CITY OF JOHNSTOWN FOR  
THE PROPERTY KNOWN AS 101 WASHINGTON STREET FOR THE  
SUBSTITUTION OF THE CITY OF JOHNSTOWN'S NOISE ORDINANCE  
FOR SECTION 493 (34) OF THE LIQUOR CODE.

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

There was further discussion regarding the motion.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,  
Mr. Arnone, Mr. Britt, Mr. Capriotti (7).

Nays: None (0).

Resolution No. 10310

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND  
DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO  
SOLICIT PROPOSALS FOR HEATING AND COOLING SERVICES FOR  
THE PUBLIC SAFETY BUILDING LOCATED AT 401 WASHINGTON  
STREET, JOHNSTOWN, PA

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

This was in response to the L&I inspection report. Once a bid was awarded, the improvements would be completed and all items from the report would be addressed. He indicated the cost was estimated to be \$150,000 to \$200,000 with funds provided from proceeds of the sewer sale.

Mr. Campagna explained the structural repairs done by his staff in house saving the City approximately \$15,000 to \$20,000.

The motion passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Arnone,  
Mr. Britt, Mr. Capriotti, Mayor Janakovic (7).  
Nays: None (0).

Resolution No. 10311

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND  
DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO  
ENTER INTO AN AGREEMENT WITH PENELEC TO REPLACE CITY OF  
JOHNSTOWN STREET LIGHTS WITH LED LIGHT FIXTURES.

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

There was further discussion regarding the resolution.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Britt,  
Mr. Capriotti, Mayor Janakovic, Reverend King (7).  
Nays: None (0).

Mr. Campagna updated Council on the Roosevelt Boulevard/Washington Street project. He noted a sidewalk and decorative retaining wall were being built. Mr. Vitovich noted the late Ed Cernic initiated this project while serving on the transportation board.

Resolution No. 10312

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING AND AUTHORIZING ADDITIONAL TERMS FOR PAYMENT TO JOHN K. TRANT, JR, D/B/A STRATEGIC SOLUTIONS, LLC FOR INTERIM CITY MANAGEMENT SERVICES AND AUTHORIZING THE CITY, MAYOR, FINANCE DIRECTOR AND/OR DESIGNEES TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

Mr. Vitovich made a motion to approve the resolution. The motion was seconded by Reverend King and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock (7).

Nays: None (0).

NEW BUSINESS:

None.

OLD BUSINESS:

Mrs. Mock noted another application was received for the Greater Johnstown Water Authority Board, and the matter would be reviewed at the August meeting. Mr. Trant explained the vacancy first needs to be advertised. The Mayor suggested that Council have names ready for a vote at the next meeting. There was further discussion regarding past procedures. Ms. Benjamin would provide additional information before the next meeting.

MOTIONS

None.

PUBLIC COMMENT-NONAGENDA ITEMS

John DeBartola, 1197 Bedford Street, Johnstown, commented on Council's humor tonight despite the COVID pandemic. He asked Council to investigate the Greater Johnstown Water Authority committee meetings being held without allowing for public comment and voting on public policy not in a properly advertised Board meeting, which he believed violated "the spirit and intent" of the Sunshine Act. He requested the GJWA correct the matter before legal action was taken.

Wednesday, July 8, 2020  
Stated Meeting, continued

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Mr. DeBartola noted his court hearing with the City of Johnstown had been rescheduled for September 29, 2020 at 9:00 a.m. due to the COVID pandemic.

He asked that the City "launch an investigation" with regard to secret meetings being held by the Johnstown Regional Partnership at the Holiday Inn attended by members of Council.

Mayor Janakovic commented that sometimes it was the humor that gets him through the day.

There being no further business, the meeting was adjourned at 7:13 p.m.

The next Regular Meeting is scheduled for August 12, 2020.

An Executive Session with regard to personnel matters was held immediately following the meeting.