



**CITY OF JOHNSTOWN
CITY COUNCIL AGENDA
ANTHONY C. TRUSCELLO
COUNCIL CHAMBERS
WEDNESDAY, JUNE 9, 2021**

City Council
Frank Janakovic, Mayor
Marie Mock, Deputy Mayor
Charles Arnone
Ricky Britt
Michael Capriotti
Rev. Sylvia King
Dave Vitovich

PUBLIC HEARING – 5:45 PM

REGULAR MEETING – 6:00 PM

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF MINUTES:

1. Special Council Meeting of March 31, 2021
2. Public Hearing Minutes of May 12, 2021

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

1. Proclamation for Men's Health Month

PRESENTATION:

PUBLIC COMMENT – AGENDA ITEMS ONLY (Limit 5 minutes)

REPORTS:

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR
- d. CITY ENGINEER
- e. COUNCIL UPDATES/ NEIGHBORHOOD LIAISONS
 1. Planning Commission Minutes of May 5, 2021
 2. Civil Service Board Minutes of May 12, 2021

PETITIONS:

ORDINANCES FOR FINAL READ:

1. Zoning Amendment – This Ordinance would approve a zoning map change affecting a vacant parcel at the southeast corner of Cambria Place and Third Avenue. The parcel is owned by Bottle Works. They intend to construct a pavilion on the parcel. The proposed change is from R2 to C2. The city’s planning commission and the Cambria County Planning Commission have recommended the change. A public hearing was conducted earlier this evening.

BILL NO. 5 OF 2021 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF THE CITY OF JOHNSTOWN, ORDINANCE NO. 4964, ADOPTED APRIL 13, 2005, AND AS AMENDED BY ORDINANCE NO. 5086, PASSED, JUNE 22, 2011; ORDINANCE NO.5119, PASSED JANUARY 23, 2013; ORDINANCE NO.5139, PASSED NOVEMBER 27, 2013; AND ORDINANCE NO.5191, PASSED, DECEMBER 2015 BY REZONING CERTAIN PARCELS OF LAND LOCATED IN THE 15TH WARD OF THE CITY OF JOHNSTOWN.

Recommended Action – Grant final approval to Bill No. 5 of 2021 amending the Zoning Ordinance.

ORDINANCES FOR FIRST READ:

1. Home-Rule Charter Amendments – It is not unusual for a City Charter to be amended from time to time. A committee, along with the Act 47 Team, has considered over several months sixteen amendments to the City Charter. Most of those are intended to clarify when ordinances, resolutions or simple motions are required to transact business, and clarification of other administrative procedures. Also under consideration is a relaxation of the sole remaining residency requirement for the city, that of the City Manager.

The Committee has agreed upon seven proposed amendments. Those amendments, as proposed, would accomplish the following.

- 1) Allow the annual budget and capital program to be adopted and/or amended by Motion or Resolution of Council rather than requiring an Ordinance.
- 2) Provide that Council “may” require residency for the City Manager rather than “shall”.
- 3) Eliminate certain content required in the Personnel Ordinance that is better addressed in the Personnel Manual and dictated in collective bargaining agreements.
- 4) Remove budget administration policies from the Charter to the Administrative Code.
- 5) Allow contracts to be approved by Motion rather than requiring Resolutions or Ordinances.

A Charter amendment requires adoption of an Ordinance which is then forwarded to the County Board of Elections. The question is then posed as a referendum on the fall’s election ballot. The Ordinance must be submitted to the county before the end of July, therefore, consideration of the required Ordinance must be accomplished at the June and July Council meetings.

The format and content of this proposed Ordinance will be considered further at an upcoming workshop. If those discussions result in any changes, a special meeting will need to be scheduled in order to satisfy the timeline for submission to the county.

BILL NO. 6 OF 2021 - AN ORDINANCE AMENDING THE HOME RULE CHARTER OF THE CITY OF JOHNSTOWN ADOPTED BY VOTERS ON MAY 18, 1993, MADE EFFECTIVE JANUARY 1, 1994, AND AMENDED NOVEMBER 2, 2010 BY AMENDING CERTAIN SECTIONS PERTAINING TO THE REQUIREMENTS FOR THE CITY MANAGER AND CERTAIN FINANCIAL PROVISIONS IN ORDER TO UPDATE CERTAIN PROCEDURES FOR THE PURPOSES OF IMPROVING AND ENSURING EFFICIENT IN THE CONDUCT OF CITY BUSINESS.

Recommended Action – Grant tentative approval to Bill No. 6 of 2021 amending the Home Rule Charter.

2. Personnel Ordinance – The City Charter requires the existence of a “Personnel Ordinance”. The Personnel Ordinance was last updated in March 2017 by Ordinance #5225. The Personnel Ordinance differs from the Personnel Manual.

The current Personnel Ordinance addresses topics that are inappropriate for an Ordinance and better addressed in a separate Personnel Manual, and in some cases, the City Charter itself and/or the Administrative Code. When the same issues are redundantly addressed in separate documents such as an Ordinance, the Charter and a manual, inconsistencies are bound to occur over time. The proposed Personnel Ordinance in effect repeals the current Ordinance, and in a very simple form satisfies the need for a Personnel Ordinance. It allows for future Personnel Manuals to be adopted from time to time by Resolution.

The new Personnel Manual will be presented to Council next month. It was developed by the Act 47 team, amended by administrative staff and reviewed by the Solicitor. Final adoption of the Personnel Ordinance next month will allow then for the new Personnel Manual to be adopted by Resolution at that time.

BILL NO. 7 OF 2021 - AN ORDINANCE AMENDING ORDINANCE NO. 4719, PASSED FINALLY APRIL 12, 1995 AND AS AMENDED BY ORDINANCE 5062, PASSED FINALLY MARCH 24, 2010, AND AS AMENDED BY ORDINANCE NO. 5225 PASSED FINALLY MARCH 8, 2017, TITLED: AN ORDINANCE ESTABLISHING A PERSONNEL POLICY FOR ALL CITY OF JOHNSTOWN EMPLOYEES, BY FURTHER ESTABLISHING PROCEDURES AND POLICIES FOR THE EMPLOYEES OF THE CITY OF JOHNSTOWN, BY FURTHER AMENDING THE ORDINANCE TO PROVIDE AN UPDATED PERSONNEL MANUAL TO INCLUDE ALL REQUIREMENTS OF THE PERSONNEL ORDINANCE FOR THE EMPLOYEES OF THE CITY OF JOHNSTOWN.

Recommended Action – Grant final approval to Bill No. 7 of 2021 amending the Personnel Ordinance.

RESOLUTIONS:

1. Stackhouse Park Master Plan Funding - Stackhouse Park Inc. submitted a grant request through the PA-DCNR C2P2 Program in April 2021. During the review process Stackhouse Park Inc. learned that the City of Johnstown should be the applicant, as the owner of the park. Stackhouse Park Inc. has agreed by letter cover any and all matching funds required. The project is for the development of a Master Plan for Stackhouse Park to help guide future development.

A RESOLUTION OF THE 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 \$15,000.00 THROUGH THE COMMUNITY CONSERVATION PARTNERSHIPS PROGRAM TO BE USED TOWARDS THE CREATION OF A MASTER PLAN FOR STACKHOUSE PARK.

Recommended Action – Adopt the proposed Resolution seeking funds through the Community Conservation Partnership Program for a Stackhouse Park Master Plan.

2. Roxbury Park Playground - The City of Johnstown Community and Economic Development Department has worked with the Community Foundation for the Alleghenies on the planning of the rehabilitation of the Roxbury Park Playground. Now that a final scope of work has been developed, the Community Foundation for the Alleghenies will be providing the City of Johnstown \$60,000 to go towards the project. The City was previously awarded \$100,000 for the project from the PA Greenways, Trails and Recreation Program. Once this Agreement is executed, Council will be asked to award a contract for playground improvements to Sports & Recreation Associates, through the state Costars Program.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECUATE A GRANT AGREEMENT WITH THE COMMUNITY FOUNDATION FOR THE ALLEGHENIES UNDER THE COMMUNITY INITIATIVES PROGRAM, FOR A GRANT AMOUNT OF \$60,000.00 TO BE USED FOR THE REHABILITATION OF THE ROXBURY PARK PLAYGROUND.

Recommended Action – Adopt the proposed Resolution approving a Grant Agreement with the Community Foundation for the Alleghenies for playground equipment at Roxbury Park.

3. Iron-to-Arts Corridor Funding – Cambria County and the City of Johnstown, PA are working with partners including PennDOT and CamTran on the “Iron-to-Arts Corridor Project”. The Iron-to-Arts Corridor will upgrade three downtown transit systems for low-income and working-class commuters, connect these proximate transit hubs with complete street upgrades, and help Johnstown overcome economic distress by boosting downtown revitalization and heritage tourism for the city and the broader region.

Johnstown’s three transit hubs – the Johnstown Train Station, the CamTran Downtown Intermodal Transportation Center, and the Johnstown Inlined Plane – need facility upgrades in order to serve 325,000+ annual workers and tourism passengers.

Total cost for the Iron-to-Arts Corridor project is just over \$49 million with \$24,547,500 in state, local, philanthropic, other federal, and Amtrak funding already secured. Cambria-Johnstown now seeks support from the Biden Administration, Governor Tom Wolf, and the Pennsylvania congressional delegation for a \$24,447,764 U.S. DOT RAISE 2021 grant to accomplish this project.

A RESOLUTION OF THE 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 UNITED STATES DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$24,447,764.00 THROUGH THE REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) PROGRAM TO BE USED TOWARDS IMPROVEMENTS TO PROJECTS LOCATED THROUGHOUT THE CITY OF JOHNSTOWN.

Recommended Action – Adopt the proposed Resolution seeking funds through the DOT Raise 2021 grant program.

NEW BUSINESS:

1. West End Fire Station Concrete – The Department of Public Works has issued a Request for Proposals (RFP) for the replacement of the driveway apron at the West End fire station. This will be a collaborative effort using Public Works staff and the selected contractor. RFP responses will be available in July for Council’s consideration.

Recommended Action – No action required.

2. Sargent’s Stadium Lighting – The Department of Community & Economic Development has issued a Request for Proposals (RFP) for the purchase and installation of a new LED lighting system within Sargent’s Stadium. This project is included in the City’s 2021 Capital Improvement Program. RFP responses will be available in July for Council’s consideration.

Recommended Action – No action required.

3. HUD Spring 2021 Demolition Contract – Eighteen residential structures are slated for demolition, funded through the City’s HUD allocation. The Department of Community & Economic Development has issued a Request for Proposals (RFP) for the demolition contract. RFP responses will be available in July for Council’s consideration.

Recommended Action – No action required.

4. Sargent’s Stadium Picnic Tables – The Department of Community & Economic Development will be purchasing twenty picnic tables for use within Sargent’s Stadium. The purchase, within the state’s bid limits, is funded 100% through the Community Foundation for the Alleghenies Community Initiatives Program. The required quotes are being sought.

Recommended Action – No action required.

OLD BUSINESS:

PUBLIC COMMENT - NON-AGENDA ITEMS (LIMIT 3 MINUTES):

1. Mark Smoot, 426 Decker Ave 15906 re: Parking issue on Decker Ave, street sweeping & ticketing.

RECESS/ADJOURNMENT:

COUNCIL WORKSHOP SCHEDULED FOR JUNE 16, 2021 AT 6:00 PM

NEXT SCHEDULED COUNCIL MEETING – JULY 14, 2021 AT 6:00 PM

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Friday before each regularly scheduled meeting at City Hall, located at 401 Main Street, Johnstown, Pa.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Hall (814) 539-2504 ext. 102. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.