



**CITY OF JOHNSTOWN  
CITY COUNCIL AGENDA  
ANTHONY C. TRUSCELLO  
COUNCIL CHAMBERS  
WEDNESDAY, FEBRUARY 8, 2023**

**City Council**

Frank Janakovic, Mayor  
Michael Capriotti, Deputy Mayor  
Charles Arnone  
Ricky Britt  
Laura Huchel  
Rev. Sylvia King  
Marie Mock

REGULAR MEETING - 6:00 PM

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF MINUTES:

1. Regular meeting minutes of January 11, 2023

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

PUBLIC COMMENT - AGENDA ITEMS ONLY (Limit 5 minutes)

REPORTS:

1. CITY MANAGER
2. MAYOR
3. CITY SOLICITOR
4. CITY ENGINEER
5. COUNCIL UPDATES/ NEIGHBORHOOD LIAISONS

PETITIONS:

ORDINANCES FOR FINAL READ AND ADOPTION:

1. **Bill No. 23 of 2022 (TABLED) - An Ordinance to Update Regulations for the Use of Mechanical Amusement Devices** - Because the City's regulations for the use of mechanical amusement devices were previously contained within the recently amended business licensing regulations, it is necessary for the City to adopt a new ordinance regulating mechanical amusement devices in the City.

Council approved the first read of this Bill at its regular November meeting. At the December meeting, Council tabled the Bill so that staff could gather more information on how the enforcement of the ordinance will take place. The Bill remained tabled in January pending additional research regarding skill machines.

AN ORDINANCE ADOPTING AND SETTING FORTH REQUIREMENTS FOR MECHANICAL AMUSEMENT DEVICE AND LICENSING TAX, TO BE CODIFIED WITHIN CHAPTER EIGHT (BUSINESS REGULATION AND TAXATION CODE), TITLE FOUR (TAXATION) OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES AS A NEW CHAPTER 804, ENTITLED "MECHANICAL AMUSEMENT DEVICES"

Recommended Action - Make a motion to remove this item from the table for discussion. Staff and the Solicitor will provide an update on how skill machines are able to be regulated, and how the ordinance will be enforced. It is anticipated that the Bill will be ready for final adoption at the March Council meeting.

ORDINANCES FOR FIRST READ:

1. **Bill No. 1 of 2023 (TABLED) - Zoning Map Amendment for Property at 1325 and 1339 Franklin Street** - Mom's House Inc. applied to rezone property at 1325 and 1339 Franklin Street from C-1 (neighborhood shopping district) to R-1 (one family residential zoning district). The request is for rezoning of the property only. Future requests to build on the site will require additional City approvals.

The Planning Commission considered the application at their December meeting and did not vote to recommend approval or denial of the application.

Council tabled this Bill at its January 11, 2023 meeting. To proceed with any approval of the application, a public hearing would need to be scheduled and held prior to a second read.

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; ORDINANCE NO. 5191, PASSED, DECEMBER 9, 2015; AND ORDINANCE NO. 5330, PASSED, MARCH 9, 2022. BY REZONING CERTAIN PARCELS OF LAND LOCATED IN THE 8<sup>TH</sup> WARD OF THE CITY OF JOHNSTOWN

Recommended Action - Make a motion to remove the application and discuss whether Council wishes to proceed with second read of the Bill and scheduling of a required public hearing for the application.

RESOLUTIONS:

**Harshberger Road Subdivision** - Daniel and Kathleen Wallace propose to subdivide their property at 206 Harshberger Road into two lots. The purpose of the subdivision plan is to create a garden. The lot is located in the Roxbury neighborhood.

The Planning Commission reviewed the proposed subdivision at its regular February meeting and recommended that Council approve the subdivision plan. Staff concurs with this recommendation.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA APPROVING A MINOR SUBDIVISION  
DIVIDING ONE PARCEL AT THE CORNER OF HARSHBERGER ROAD AND  
CROYLE STREET IN THE CITY OF JOHNSTOWN

Recommended Action - Make a motion to approve the proposed subdivision for property at 206 Harshberger Road owned by Daniel and Kathleen Wallace.

**Contract with Johnstown Credit Bureau** - This resolution approves a contract with Johnstown Credit Bureau for the purpose of providing additional collections service and capacity for the Code Enforcement Department, Public Works and other city departments to utilize in the case of unpaid fines, fees and services. A copy of the proposed contract and fees charged by Johnstown Credit Bureau are included with the agenda materials.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA ENTERING INTO AN AGREEMENT  
WITH JOHNSTOWN CREDIT BUREAU TO PROVIDE COLLECTIONS SERVICES  
AND AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS  
NECESSARY TO EFFECTUATE THE SAME

Recommended Action - Make a motion to approve the resolution authorizing the City Manager to take necessary actions to enter a contract with Johnstown Credit Bureau to collect unpaid fines and fees.

NEW BUSINESS:

**Real Estate Tax Assessment Appeal - 507 Main LLC** - Council is asked to make a motion to approve a settlement at the Cambria County Court of Common Pleas with 507 Main LLC for the valuation of their property. The City solicitor and staff have negotiated with the property owner, and all parties agree to this assessment value for the 2022 and 23 tax years.

Recommended Action: Motion to approve settlement of Cambria County Court of Common Pleas Docket No. 2021-3368 at the Fair Market Value of \$332,760.00 for the 2022 and 2023 tax years.

**Real Estate Tax Assessment Appeal - Gautier Steel** - Council is asked to make a motion to approve a settlement at the Cambria County Court of Common Pleas with Gautier Steel for the valuation of their property. The City solicitor and staff have negotiated with the property owner, and all parties agree to this assessment value for the 2022 and 23 tax years.

Recommended Action: Make a motion to approve settlement of Cambria County Court of Common Pleas Docket No. 2021-3738 at the Fair Market Value of \$3,100,000.00 for the 2022 and 2023 tax years.

**Draft City of Johnstown Fee Schedule** - Staff recently reviewed the Home Rule Charter and Code of Ordinances to complete an inventory of fees charged for City services and equipment. Fees charged for City services are mostly within existing ordinances which makes updating fees on a regular basis prohibitive, costly and administratively demanding. The goal of developing a

fee schedule is to have all of the City's fees listed in a centralized location and to be able to update the schedule on a regular (preferably annual) basis.

Staff compiled a draft fee schedule for Council's review. It is recommended that the fee schedule be adopted by Council via resolution, and then updated on an annual basis to ensure that fees collected are consistent with the cost of services provided.

**OLD BUSINESS:**

**Loan Review Committee Appointment** - One vacant seat remains on the Loan Review Committee. At this time, one candidate formally applied to serve on the Committee. Mr. Thomas Boyd, Vice President Commercial Relationship Manager at Ameriserv Bank, is recommended by the City Manager to serve on the Loan Review Committee for a three year term. Mr. Boyd meets the requirement of the City ordinance for this position that this member be from the banking community. The term is for three years and expires on November 27, 2025.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA, APPROVING AN APPOINTMENT TO  
THE LOAN REVIEW COMMITTEE AS RECOMMENDED BY THE CITY  
MANAGER

Recommended Action - Make a motion to approve the City Manager's recommendation to appoint Mr. Thomas Boyd to the Loan Review Committee, for a three year term that expires November 27, 2025.

**DEPARTMENT REPORTS:**

1. Public Works
2. Police Department
3. Fire Department
4. Finance
5. Community Development
6. Code Enforcement

**PUBLIC COMMENT - NON-AGENDA ITEMS (Limit 3 Minutes):**

**RECESS/ADJOURNMENT:**

**NEXT REGULARLY SCHEDULED COUNCIL MEETING - March 8, 2023 at 6:00 p.m.**

*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.*