



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

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

1. Proclamation for Bleeding Disorders Awareness Month
2. Proclamation for Irish American Heritage Month

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 2022 meeting. At the December 2022 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 and

February pending additional research regarding skill machines and enforcement of the regulations.

Staff learned prior to the January meeting that skill machines will be subject to the ordinance, which increases the capacity needed to properly enforce the ordinance. Since February, staff has created what it believes is a viable solution for enforcement of the ordinance using a third-party. If removed from the table for discussion, staff will provide an update on the process it envisions for enforcement of the ordinance and collection of fees.

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 will provide an update on how skill machines and other amusement devices are able to be regulated, and how the ordinance will be enforced. The Bill is prepared and recommended for adoption if Council concurs.

#### 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 properties only. Any future requests to build improvements on the site will require additional City approvals.

The City Planning Commission considered the application at a special February meeting and voted 5-1 to recommend that City Council deny the application.

Council tabled this Bill at its January 11, 2023 meeting, and then again at its February 8<sup>th</sup> 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 from the table and discuss whether the Council wishes to proceed with second read of the Bill and scheduling of a required public hearing for the application.

2. **Bill No. 2 of 2023 - Lowering the Local Services Tax Rate** - As the City is scheduled to exit Act 47 at the end of April, Council must adopt an ordinance that will lower the effective Local Services Tax rate to \$47.00. The current LST rate of \$156.00 is enabled only by the City's participation in the Commonwealth's Act 47 program for financially distressed municipalities, which is scheduled to end in April 2023.

AN ORDINANCE AMENDING ORDINANCE 5008, ADOPTED DECEMBER 12, 2007, AS AMENDED BY ORDINANCE NUMBER 5871, ADOPTED NOVEMBER 12, 2015, AND CODIFIED WITHIN THE CODE OF ORDINANCES OF THE CITY OF JOHNSTOWN, AT TITLE FOUR, TAXATION, CHAPTER 882, ENTITLED "LOCAL SERVICES TAX" TO AMEND THE ANNUAL RATE FOR THE LOCAL SERVICES TAX AND ADJUST THE EXEMPTIONS THERETO IN ACCORDANCE WITH SAME, BY LOWERING THE CURRENT TAX RATE TO FORTY SEVEN DOLLARS (\$47) EFFECTIVE APRIL 29, 2023

Recommended Action - Make a motion to grant tentative approval to the Bill that will lower the Local Services Tax rate from \$156.00 to \$47.00 pursuant to the City's scheduled exit from the Commonwealth's Act 47 program for financially distressed municipalities at the end of April 2023.

#### RESOLUTIONS:

**Contract with SCAPE Landscape Architect Team for Main Street Project Design and Engineering** - This resolution approves a contract with SCAPE Landscape Architects for the design and engineering of the Main Street project. The Main Street Project is a component of the RAISE grant that was awarded to the City in 2021, along with the Incline Plane, CamTran Transit Center and Train Station.

The City conducted a Request for Proposals process for this work. The City received a total of seven bids for the project. City staff and project partners interviewed five of the project teams, both in person and remotely. The SCAPE team was evaluated as the most qualified bidder. Their portfolio of prior work includes successfully implemented RAISE projects in other cities.

The cost of the contracted work is \$1,612,321.00, which includes design of the project plus final engineering plans for the project. Two local companies are subconsultants with SCAPE on this proposal, Thaddeus Pawlowski and CJL Engineering. The project is budgeted for within the City's ARPA funding plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH SCAPE LANDSCAPE ARCHITECTURE IN THE AMOUNT OF \$1,612,321.00 FOR DESIGN AND ENGINEERING SERVICES FOR THE MAIN STREET REHABILITATION PROJECT

Recommended Action - Make a motion to approve the resolution authorizing the City Manager to take necessary actions to enter a contract with SCAPE Landscape Architecture for the Main Street project design and engineering.

**Approve Purchase of 10 Ton Truck for Public Works Department** - The Public Works Department requests approval for the purchase of a ten-ton dump truck from M & K Truck

Center, and an eleven foot dump bed from A & H Equipment. The price of truck is \$152,303.00, and the bed is \$75,570.00 for a combined price of \$227,873. The price of the truck and bed is the lowest available price through the state COSTARS program, and is budgeted for in the City's 2023 Capital Improvement Program, account number 18.434.74.072.00.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO PURCHASE A 2024 10-TON MACK CHASSIS FROM M & K TRUCK CENTER AND AN 11' ALUMINUM DUMP BED WITH SNOW EQUIPMENT FROM A & H EQUIPMENT

Recommended Action - Make a motion to approve the resolution authorizing the City Manager to take necessary actions to enter into a purchase agreement for the 10 ton dump truck and eleven foot dump bed for the Public Works Department.

**Authorizing a Service Agreement with Stackhouse Park, Inc.** - The City recently obtained a \$15,000 grant from the PA DCNR for the development of a master plan for the City owned Stackhouse Park. In order for the funds to be spent on the master plan, the City must execute a service agreement with Stackhouse Park Inc. to administer the grant to develop the master plan. The City already contracts with Stackhouse Park, Inc. for the oversight of activities at Stackhouse Park.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A SERVICE AGREEMENT WITH STACKHOUSE PARK INC. FOR THE ADMINISTRATION OF DCNR GRANT FUNDING FOR THE DEVELOPMENT OF A MASTER PLAN AT STACKHOUSE PARK

Recommended Action - Make a motion to approve the resolution authorizing a service agreement with Stackhouse Park, Inc. for the receipt of DCNR grant funding to develop a master plan at Stackhouse Park.

**Renaming the AAABA Field at Roxbury Park to Dee Dee Osborne Field** - Mr. Osborne has a long and decorated resume as a baseball player and coach in Johnstown. He coached many local players, some of whom made it to the major leagues. He has decades of service as a coach in the AAABA organization, and is a member of its Hall of Fame. He also served as a professional baseball scout for the Cleveland Indians organization.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE DEDICATION AND NAMING OF THE AAABA FIELD AT ROXBURY PARK TO DEE DEE OSBORNE FIELD AT ROXBURY PARK IN HONOR OF HIS COMMITMENT TO BASEBALL IN JOHNSTOWN

Recommended Action - Make a motion to approve the resolution authorizing the renaming of the AAABA Field at Roxbury Park to Dee Dee Osborne Field.

**Amendment to the Fiscal Year 2022 Community Development Block Grant Program** - The Community and Economic Development Department proposes an amendment to the 2022 Community Development Block Grant (CDBG) program. The amendment will remove unspent

funding for business assistance programming and transfer it several projects; Flood City Youth Academy, Sandvyle Gardens recreation improvements, Forest Avenue playground improvements, and Somerset Street playground improvements.

A RESOLUTION, OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA APPROVING SUBSTANTIAL  
AMENDMENT No. 1 TO THE FY 2022 CDBG PROGRAM

Recommended Action - Make a motion to approve the amendment to the Fiscal Year 2022 Community Development Block Grant (CDBG) program.

**Approve Purchase of Video Board Software at Sargent's Stadium at the Point** - Software is needed at Sargent's Stadium to activate the full capabilities of the new video board. Staff conducted a request for proposals for the installation and purchase of operating software for the video board. Unified Board Operations was the only responsible bidder for the project. The project is funded through American Rescue Plan Act funds as a part of the City's ARPA program.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE  
CITY MANAGER TO SIGN A CONTRACT WITH UNIFIED BOARD OPERATIONS  
IN THE AMOUNT OF \$67,400.00 FOR UPDATES TO THE SARGENT'S STADIUM  
VIDEO BOARD

Recommended Action - Make a motion to approve the purchase and installation of video board software at Sargent's Stadium at the Point.

NEW BUSINESS:

OLD BUSINESS:

**Draft City of Johnstown Fee Schedule** - Staff completed a review of 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, along with a draft Ordinance updating language in the Home Rule Charter. 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.

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 - April 12, 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.*