

JOHNSTOWN CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, May 11, 2022

City Council met in a stated session for the general transaction of business.
Mayor Frank 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:

Mr. Arnone, Mr. Britt, Mr. Capriotti, Ms. Huchel (via telephone),
Mayor Janakovic, Reverend King, Mrs. Mock (7).

Ethan Imhoff, City Manager; Alex Ashcom, Assistant City Manager; Robert Ritter, Finance Director; Brandon Palmer, EADS Group; Jared Campagna, Public Works Director; Tony Penna, Recreational Director; Richard Pritchard, Police Chief; Robert Statler, Fire Chief; Elizabeth Benjamin, Esquire, City Solicitor were also present.

Mayor Janakovic noted for the record that an Executive Session was held following last month's meeting regarding personnel and real estate.

APPROVAL OF MINUTES

Mr. Capriotti made a motion to approve the Regular Meeting Minutes of April 20, 2022. The motion was seconded by Mr. Arnone and passed by the following vote:

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

Nays: None (0).

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

None

PUBLIC COMMENT-AGENDA ITEMS ONLY

Linda Russell, 132 Wertz Road, Johnstown, presented before Council with regard to a bill she had received from the City marked final notice, and was never in receipt of a first notice. Solicitor Benjamin explained that the matter must pertain to an agenda item and could Ms. Russel relate the matter to the ordinance and proposed amendment to the ordinance. She was advised and Ms. Russell agreed that the concluding portion of the agenda would be a more appropriate time.

Charlene Stanton, 184 Sell Street, Johnstown, addressed Council regarding the ordinance for final read regarding code violation penalties. She stated, in her opinion, this would not increase compliance with the code problem in the City but that what was needed is actual code enforcement. She noted outsourcing to a third party was proposed by her and Mr. Williams as members of Council in 2019 and it was "shot down with no votes."

Mrs. Stanton commented that Council was to hold a workshop on the matter, which it did not. She noted many questions need answers about this company, which she discovered through her own research, owns properties under many various names, including JCP, JCT, LLC, Johnstown Capital Partners and the City is well aware that this company was buying all these properties. Mrs. Stanton also discussed a concern she had regarding a truck located in the yard of a vacant property belonging to a landscaper from New Jersey and noted other issues that should be raising "red flags" to Council and the city administration.

Lindsay Brumback, 1301 Virginia Avenue, Johnstown, presented before Council for discussion of the proposed code violation penalties. She indicated the rate increase is not a concern but what is is the "selective treatment of certain properties." She noted the many neglected properties that have been reported "go by with no change", and these areas have become "dumping grounds" for inhabitation by rats and other pests and is now a matter of public health. Ms. Brumback reminded Council that she was present before them last year for the same discussion and presented photographs of her garden, which was destroyed by the rats. She requested again that the City address the issue. Ms. Brumback stated she would be relocating.

REPORTS

CITY MANAGER:

Ethan Imhoff reported a meeting was held with the organizers of the Juneteenth celebration and announced that the scope of the event would be expanded to make it a weeklong event (week of June 13) in the Central Park area.

Mr. Imhoff noted Thunder in the Valley would be held the following week and a meeting was held with the organizers to discuss this year's event.

He encouraged all to attend the first Farmer's Market of the season, which will be held on Friday, May 13, 2022, in Central Park Square.

Mr. Imhoff and Mayor Janakovic will deliver the State of the City Address a week from today at Ace's in Cambria City. All were invited to attend the event sponsored by the Chamber of Commerce.

The City Manager had discussion with respect to the American Rescue Plan Act programs and stated everything was in place to roll out four of the programs on Friday.

Alex Ashcom, Assistant City Manager, noted the four ARPA programs include home ownership, home repair, small business and nonprofits and opening the grant application for the nonprofit initiatives. He stated the application had been reviewed by legal and the auditors and further stated the web page would be up and running on Friday to accept applications. An email address would be provided for questions and responses. He noted additional conditions and requirements.

Up to \$10,000 for an individual grant and up to \$2 million maximum would be available under the home ownership grant after meeting income requirements and having a financial backing from a financial institution; \$10,000 for an individual grant and up to \$2 million maximum would be available for home repairs; \$25,000 for small business up to \$2 million maximum; \$2 million for things like medical clinics and COVID-19 testing sites; \$1 million set aside to combat food insecurity; \$1 million set aside for child care services; and \$100,000 for infrastructure for public internet access.

Mrs. Mock suggested that the money be moved around so that people can get repairs completed and no one would be "left out in the cold."

Mr. Imhoff noted another community meeting would be held regarding the matter at Christ the Saviour Church to help spread the word about the programs.

Mrs. Mock noted that the rat "hot spots" have to be contained and rattraps for the garden had been ordered. Mr. Capriotti commented that the rodent matter was discussed with Codes, including Virginia Avenue, which is at a bus stop for school kids, and was advised that they were going to take action. Mr. Arnone commented that he had the same problem behind his business and feeders were put out, which took care of the problem.

Mr. Britt had questions for Ms. Brumback regarding the rodent problem on her street. The City Manager would follow up with Mr. Mock regarding the matter.

MAYOR:

Frank Janakovic, Mayor, reported that he attended the Annual Cambria City Mission Dinner last evening. He stated the mission is celebrating its 93rd year in Johnstown by serving veterans and providing other services.

He noted his attendance at the recent Military Spouse Appreciation Day and stated both recipients were retired military.

The Mayor attended a branding reveal for the City at Ace's and thanked Roger Brooks and the committee for all their hard work.

The Mayor attended a recent workshop on diversity at UPJ geared towards master's level therapists there and at the main campus.

Mr. Janakovic noted his recent attendance at both the Visioning 2025 meeting and JARI Board meetings.

He noted the Annual Taste and Tour event is scheduled for downtown on Saturday, May 28, 2022.

Upcoming events include the Polka Fest at PNG Park on June 3, 4 and 5, 2022. The annual cleanup sponsored by Discover Downtown will be held toward the end of the month.

CITY SOLICITOR:

Elizabeth Benjamin, Esquire, City Solicitor, had no report but would be discussing matters on the agenda at the appropriate time.

CITY ENGINEER:

Brandon Palmer, EADS Group, reported that Terra Works is progressing on the Fairfield Avenue storm water project. He noted the section above Strayer Street to Marbury Avenue would soon be paved.

He noted a resolution on the agenda to award the Sam's Run and Cherry Run flood protection projects to low bidder, Charles J. Merlo Construction. Work will commence on the Cherry Run section in the June/July time frame.

Mr. Palmer noted design drawing are still in progress with respect to the Elk Run debris basin (Stackhouse Park). Erosion and sanitation permits will be obtained within the next few months.

Drawings and specifications will be updated for the Public Works salt storage building and the project will be rebid.

At Mrs. Mock's request, damaged sidewalks and construction entrances will be addressed on Fairfield Avenue between J and Strayer Streets.

NEIGHBORHOOD LIAISONS:

Reverend King had no report.

Mrs. Mock reported that work would begin on the D Street 911 Memorial Garden on May 18 by students from the GJHS Interact Club as well as fire and police department personnel.

Girl Scouts will be painting the Laurel Avenue Community Garden fence.

The GJMS Interact Club recently assisted Vision 2025.

Flower boxes were being rehabbed and painted by Hiram G. Andrews's students.

Mr. Arnone reported that, as he had done in the past, he was providing an update of statistical information related to the population of the public housing communities located within the City of Johnstown. He reported that as of January 31, 2022, the total population of the public housing communities was 2,601. Section Eight voucher holders total 922, which amounts to a total combination of 3,523 families. Currently 47 percent of the people living in poverty in the City of Johnstown were being assisted.

He noted that an environmental review process for planned capital fund improvement was expected to receive final HUD approval within the next few weeks. Contracts for those activities can then be awarded and work commenced.

As Council's representative to the GJWA, Mr. Arnone reported that throughout the month of April, 88 lead service lines were renewed, and there were two active projects ongoing. Work was being coordinated by PennDOT on Hershberger Road and Terra Works on Fairfield Avenue. Another 30 renewals was anticipated to be completed in May 2022.

An extensive leak detection in the Millcreek portion of the distribution system had been repaired and daily production had increased tremendously. Daily flow includes all customers within the West Hills. New filter media had been

added to the filters. New sluice gates and waste valves were being installed to provide a cleaner and more efficient water system.

Mr. Arnone also noted his attendance along with the Mayor at the Vision's Reveal event held at Ace's. He commented on the motivating film about the bicycle trail on the hillside near the Inclined Plane.

Mr. Arnone stated, on Saturday, June 21, 2022, at 8:00 a.m. flags would be placed on graves at Grandview Cemetery. Mayor Janakovic stated the Rotary Club will soon be placing the international flags up along the river by the War Memorial.

Mr. Britt reported that he had contacted Mr. Penna, Mr. Campagna and Mr. Imhoff with regard to repainting of upper Main Street downtown at no cost to the City. Additional information will be provided. Reverend King commented that the students will be there to help as well.

Mr. Capriotti had no report.

Ms. Huchel thanked the community for coming out for the immigrants during the recent Welcoming Johnstown event. She also commended City staff for the ongoing ARPA funds community discussions.

PETITIONS

None.

ORDINANCES FOR FINAL READ

BILL NO. 9 OF 2022, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF JOHNSTOWN, PART FOURTEEN - BUILDING AND HOUSING CODE, TITLE TWO-BUILDING AND HOUSING STANDARDS, CHAPTER 1428, SECTION 1428.99, PENALTY ORD. 5144 PASSED 3-15-14; ORD 5238 PASSED 9-13-17 AMENDING PROPERTY MAINTENANCE RULES AND REGULATIONS.

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

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

Nays: Mr. Capriotti (1).

ORDINANCES FOR FIRST READ:

BILL NO. 10 OF 2022, AN ORDINANCE AMENDING ORDINANCE 5321 PASSED FINALLY ON DECEMBER 8, 2021, AS THE CITY OF JOHNSTOWN ANNUAL 2022 BUDGET, TO REFLECT ADDITIONAL INCOME AND EXPENDITURES OF THE GENERAL, CAPITAL AND AMERICAN RECOVERY FUNDS FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING.

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

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

Nays: None (0).

BILL NO. 11 OF 2022, AN ORDINANCE TO VACATE PEAR PLACE FROM HORNER STREET TO SWALLOW PLACE IN JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE.

Mr. Arnone made a motion to approve. Mrs. Mock seconded the motion.

Mr. Imhoff explained that the property owner, Dollar General, had purchased several of these adjacent properties with the intention of constructing a store there and is asking that the alley be abandoned to facilitate construction of a new store. It was noted that all adjacent property owners have signed off.

The motion passed by the following vote:

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

Nays: None (0).

RESOLUTIONS:

Resolution No. 10503

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, ENTERING INTO AN AGREEMENT WITH THE JOHNSTOWN REDEVELOPMENT AUTHORITY TO PROVIDE SERVICES RELATED TO THE ADMINISTRATION AND

EXPENDITURES OF AMERICAN RESCUE PLAN ACT FUNDING FOR
HOUSING REHABILITATION AND SEWER LATERAL ---

Mr. Capriotti made a motion to approve. Mr. Arnone seconded the motion.

Mrs. Mock commented that this program in addition to the Hosanna program, which is totally funded by the 1889 Foundation, will make a big difference with home remodeling and would provide extra money to help with the laterals and other services.

The Mayor finished reading the resolution which was followed by another motion and second.

--- REPLACEMENT PROGRAMS AND AUTHORIZING THE CITY
MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE
THE SAME.

Mrs. Mock made a motion to approve. Mr. Capriotti seconded the motion.

Ms. Benjamin recommended that the 30 days be changed to 60 days and clarify that payment is to be made directly to the contractor, that the motion be made contingent upon final approval and acceptance by the Solicitor of any and all amendments to the agreement.

Mrs. Mock made a motion to approve contingent upon final approval and acceptance by the Solicitor of any and all amendments to the agreement. The motion was seconded by Mr. Capriotti and passed by the following vote:

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

Nays: None (0).

Abstention: Ms. Huchel (1) abstained as a member of the JRA Board.

Resolution No. 10504

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN
ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT
WITH CHARLES J. MERLO, INC. AWARDED CONTRACT NO. 2022-01
FOR THE CONSTRUCTION OF THE SAM'S RUN FLOODWALL
REPLACEMENT AND CHERRY RUN CHANNEL WALL
REPLACEMENT PROJECTS.

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Mr. Arnone made a motion to approve. Mr. Britt seconded the motion.

Mr. Capriotti commented that Merlo was the only bidder of the project.

The motion passed by the following vote:

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

Nays: None (0).

Resolution No. 10505

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY
MANAGER AND FINANCE DIRECTOR TO SIGN ALL DOCUMENTS
NECESSARY TO PURCHASE ONE JOHN DEERE Z997R DIESEL, 72
INCH ZERO TURN MOWER.

Mr. Arnone made a motion to approve. Mr. Britt seconded the motion.

It was noted that this resolution and the next is dedicated to Roxbury Park.

The motion passed by the following vote:

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

Nays: None (0).

Resolution No. 10506

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY
MANAGER AND FINANCE DIRECTOR TO SIGN ALL DOCUMENTS
NECESSARY IN PURCHASE OF ONE JOHN DEERE SUB COMPACT
TRACTOR WITH LOADER BUCKET.

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

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

Nays: None (0).

Resolution No. 10507

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO SIGN ALL DOCUMENTS AND TAKE ANY/ALL OTHER ACTIONS NECESSARY IN THE PURCHASE OF AN AMKUS HYDRAULIC RESCUE TOOL AND DEWALT POWER TOOLS FROM FIRE RESCUE PRODUCTS.

Mr. Capriotti made a motion to approve. 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, Ms. Huchel (7).

Nays: None (0).

NEW BUSINESS:

None

OLD BUSINESS:

1. Pasquerilla Conference Center.

Mr. Imhoff noted that proposals were reviewed and interviews were scheduled to bidders on June 6, 2022. The goal is to have a management contract in place for Council to vote on at either the June or July meeting. Staff submitted the community projects funding requests for \$860,000 to the offices of Senator Casey and Congressman Joyce that would complete the funding package needed to restore the conference center. State funding opportunities would also be reviewed.

The City Manager noted JARI organized the Showcase for Commerce, which will be held at the conference center.

2. Code Enforcement Outsourcing

Mr. Imhoff reached out to a municipal inspection group with regard to their third party contractor who does inspections of both construction and property management codes in the region. He was told that if the City were to put out a contract for outsourcing of codes, if it were strictly outsourcing of codes of property maintenance codes, the price would be relatively high compared to the price paid to in-house code enforcement officers. Mr. Imhoff commented

that it would be difficult to outsource this in a way that would save costs over what the City is doing now, that he felt it did the right thing by having its own in-house code enforcement department. He noted that six individuals would be hired for summer employment for cutting grass, picking up garbage and remediating properties in violation.

Mrs. Mock suggested that a proposal be provided by an outsource agency for cost comparison. There was further discussion.

3. Tabled - Contract with First Credit Resources

Mr. Imhoff stated staff had a meeting to discuss the matter and would also meet with First Credit Resources tomorrow for further discussion. It is hopeful that a contract would soon be in place for Council's approval. Mr. Imhoff commented that this is regarding abandoned vehicles that are parked on private property.

DEPARTMENT REPORTS:

1. Public Works.

Jared Campagna, Public Works Director, referred members to a list of streets in the West End as well as Suppes Avenue in the Eighth Ward that will be paved late summer or early fall.

He stated he was notified that the company would be repaving that portion of Von Lunen Road that was previously paved and then dug.

Mr. Campagna is pursuing the Church Avenue pavement project to assure that it is done correctly. He will investigate a pothole on Franklin Street near Murphy's Bar.

2. Police Department

Richard Pritchard, Johnstown Police Chief, noted April 26 was his one-year anniversary with the Johnstown Police Department.

He talked about a new patch design, which would be replacing the center patch with the Johnstown seal as part of the rebranding of the police department.

The Chief is looking forward to the Farmer's Market around Central Park, which will commence on Friday, May 13, 2022.

3. Fire Department

Robert Statler, Johnstown Fire Chief, reported that new hoses and nozzles purchased last year are in service.

He stated the installation of smoke detectors in the Hornerstown area in collaboration with a program by the Red Cross did not occur due to a fire at Lincoln Lee Manor. He noted the Red Cross did their part and the department recently picked up the remainder of the list. The program was ongoing.

The Chief talked about the yearly program with Conemaugh where emergency medicine residents would be shown technical rescue in the field so to have a better understanding of a situation. He stated a similar program is in the works for EMTs and paramedics.

4. Community Development

No report.

5. Code Enforcement

No report.

6. Recreation

Tony Penna, Recreation Director, noted work on projects continues. A meeting was held with the courthouse crew, the Mill Rats, and the maintenance crew to address some of the concerns at Sargent's Stadium, including how to successfully conceal the large volume of garbage. He stated half of the stadium had been power washed and would soon be completed. Locker room projects would also be addressed.

Mr. Penna noted the safe haven programs, including sports clinics, would continue at the YMCA and the West End. Ticket sharing with the War Memorial would continue. A morning walking program at the Point Stadium would be started this summer. He stated funding was anticipated for the various activities.

He is working through the RFP process regarding the purchase of deck tiles for the Roxbury hockey rink. A meeting was set up for discussion of leagues

at the park. It was noted the surface of the playground is scheduled to be redone next week. Funding is in place to finish the hockey rink. There was further discussion.

PUBLIC COMMENT - NON-AGENDA ITEMS

Patricia Walker, owner of 612, 610 and 608 Fronheiser Street, Johnstown, talked about the poor job done by the contractor to make her home sewer compliant which left her with water issues in the basement, a crooked sidewalk and a "messy" yard. Mr. Imhoff will discuss the matter with Ms. Walker after the meeting.

Anthony Trigona was present at the last meeting regarding a nonprofit organization called Help is on the Way. He did not ask to speak at this meeting but commented about a group of young men who were present at the last meeting who bought houses in Johnstown. Mayor Janakovic commented the matter was not for public comment and asked Mr. Trigona not to discuss the matter any further.

Linda Russell, 132 Wertz Road, Johnstown, reminded Council of her visit last year at a council meeting regarding speeding problems on Wertz Road. She had concerns regarding the location of the electronic speed sign that was placed last year and gave permission to place a speed limit on her property.

Ms. Russell stated she received a final notice regarding disposal of metal trash on her property, which had been cleaned up, and some chairs that had been placed on her front lawn have been disposed of.

Ms. Russell commented about a fine for a tree branch in her yard close to the neighbor's house.

Mrs. Mock commented this is not the first time residents are receiving "frivolous little fines" and yet Codes will "drive by dilapidated houses" with garbage strewn about. She stated Codes "needs to be here and needs to hear this." It was noted the matter would be investigated further.

Charlene Stanton, 184 Sell Street, Johnstown, wondered what the purpose was for putting "little plastic animals" on the floor from the door of the Codes Department to the Manager's office.

Mrs. Stanton talked about the properties owned by Johnstown Capital Partners, JCP, JCP, LLC, with no evidence of sewage work being done, as this was something that was to be completed before a property is bought. Mr.

Arnone will address the matter with the director and solicitor at the next meeting. She commented on the "great job" in finally identifying Cheney Run as Cherry Run.

Brandon McFarlane, in-house counsel for the prospective purchaser of those lots for the alley Council had voted on earlier, provided the opportunity to answer any questions Council may have regarding the matter. He provided a map of the properties being purchased on Horner Street. Mr. MacFarlane noted the building would be constructed a few months after receiving the permit. There was further discussion regarding site selection.

Jose SaSalle (phonetic), new owner of 670 Bedford Street, commented on a contractor who was to complete his sewer work but had since got out of the business as his employees overdosed, took money and disappeared. He stated it was Citrona Homes; the contractor's name was Paul with three different last names and five companies in 19 states selling investments to people like himself. Mr. SaSalle noted he drove 1500 miles from Denver to be here at this meeting and commented that he "really likes this town." He inquired if he would be responsible for others dumping their garbage such as mattresses on his property and asked if the City could provide help.

It was suggested that he install cameras or a security system on the property. Mr. Capriotti suggested that Pro Disposal provide the opportunity a couple times a year to get rid of bulk items. It was noted that every Pro Disposal customer once a month by appointment can have up to 20 bags or 1 bulk item collected.

RECESS/ADJOURNMENT

There being no further business, the meeting concluded at 7:43 p.m.

Next Regular Council Meeting is scheduled for June 8, 2022 at 6:00 p.m.

EXECUTIVE SESSION