



**CITY OF JOHNSTOWN
CITY COUNCIL AGENDA
ANTHONY C. TRUSCELLO
COUNCIL CHAMBERS**

MONDAY, JANUARY 3, 2022

REORGANIZATION MEETING – 6:00 p.m.

City Council

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

ADMINISTRATION OF OATHS OF OFFICE

1. The Honorable Judge Tamara Bernstein will administer the oath of office to Mayor Janakovic.
2. The Honorable Judge Tamara Bernstein will administer the oath of office to Council members Sylvia King, Marie Mock, Ricky Britt and Laura Huchel.

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PUBLIC COMMENT – AGENDA ITEMS ONLY (Limit 5 minutes)

ELECTION OF DEPUTY MAYOR:

ORDINANCES FOR FINAL READ:

1. Administrative Code Amendment – Since the amendments to the Home Rule Charter were approved, several conflicts now exist between the Charter and the Administrative Code. It is necessary to amend the Administrative Code, expected to be accomplished in three phases. The first amendment is Bill No. 18 which amends the residency requirements of the City Manager to coincide with the new Charter language. This needs to be adopted prior to filling the City Manager position. The second amendment, being developed by the Act 47 team and expected to be proposed later in January, will amend the Administrative Code to reflect the other recently approved Charter amendments. The third amendment will follow a more comprehensive review of the Administrative Code and is expected to be proposed in February or March.

BILL NO. 18 OF 2021 - AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE OF THE CITY JOHNSTOWN, AS ADOPTED VIA ORDINANCE NO. 4654, ADOPTED OCTOBER 27, 1993, AS AMENDED BY ORDINANCE NO. 5196, ADOPTED FEBRUARY 25, 2016, AND ORDINANCE NO. 5255, ADOPTED JULY 11, 2018, AND SPECIFICALLY CHAPTER 223, OF THE CODIFIED ORDINANCES ADDRESSING “CITY MANAGER” TO ELIMINATE A RESIDENCY REQUIREMENT AS PERMITTED BY THE AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF JOHNSTOWN APPROVED VIA REFERENDUM ON NOVEMBER 2, 2021.

Recommended Action #1 – Make a motion to amend Bill No. 18 to reflect the addition of Ordinance numbers within the preamble.

Recommended Action #2 – Make a motion to grant final approval to Bill No. 18, as amended, amending the Administrative Code relative to City Manager residency.

ORDINANCES FOR FIRST READ:

1. Land Bank – A land bank is a governmental nonprofit entity established to assemble, temporarily manage, and dispose of vacant land for the purpose of stabilizing neighborhoods and encouraging re-use or redevelopment of urban property. A land bank will purchase properties that have been foreclosed upon and maintain, assemble, facilitate redevelopment of, market, and dispose of the land-banked properties. A land bank may also maintain foreclosed property that it does not own, provided it charges the owner of the property the full cost of the service or places a lien on the property for the full cost of the service.

The proposed Ordinance designates the Johnstown Redevelopment Authority as the land bank for the City by adopting an intergovernmental agreement between the City and JRA. The City has agreed to fund the land bank with \$50,000 from the 2021 capital fund, \$100,000 from the 2022 capital fund and \$50,000 from the 2023 capital fund. Theoretically, the land bank will be self-sustaining after that as properties are resold, however, the need for future funding from the City is likely.

BILL NO. 1 OF 2022 - AN ORDINANCE AUTHORIZING THE DESIGNATION OF JOHNSTOWN REDEVELOPMENT AUTHORITY AS THE LAND BANK FOR THE CITY OF JOHNSTOWN.

Recommended Action – Make a motion to grant tentative approval to Bill No. 1 adopting an intergovernmental agreement designating the Johnstown Redevelopment Authority as the land bank for the City of Johnstown.

2. Zoning – An Ordinance prohibiting the parking of vehicles in residential yards was first introduced in July 2021. Multiple questions were raised and the Bill was tabled. It was reconsidered in September, but questions remained concerning the type of parking surface that would be required. At a September workshop session Council agreed to allow for gravel parking areas. The amended bill was reintroduced to Council in October, and the required public hearing was expected to be scheduled in November. Due to the extent of the amendments since first introduced, staff chose to resubmit the proposed Ordinance to the city and county planning commissions for comment. Those comments have been received and the bill is ready for consideration.

BILL NO. 8 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; ORDINANCE NO. 5191, PASSED, DECEMBER 9, 2015; ORDINANCE NO. 5256, PASSED JULY 11, 2018; ORDINANCE NO. 5309, PASSED JANUARY 13, 2021; ORDINANCE NO. 5314 PASSED JUNE 9, 2021; AND ORDINANCE NO. 605, PASSED AUGUST 11, 2021 BY PROHIBITING PARKING IN CERTAIN RESIDENTIAL YARDS AND EXCLUDING CERTAIN TYPES OF BARRIERS FROM THE DEFINITION OF FENCE.

Recommended Action #1 – Make a motion to remove Bill #8 of 2021 from the table.

Recommended Action #2 - Make a motion to grant tentative approval to Bill No. 8 amending the Johnstown Zoning Ordinance.

RESOLUTIONS:

1. Interim City Manager – The City Manager position is expected to be filled on January 31, 2022. This Resolution extends the Agreement under which Daniel Penatzer serves as Interim City Manager until January 31st.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, EXTENDING THE EMPLOYMENT AGREEMENT OF DANIEL PENATZER AS INTERIM CITY MANAGER THROUGH JANUARY 31, 2022.

Recommended Action – Adopt the proposed Resolution extending the Interim City Manager Agreement through January 31, 2022.

2. Solicitor – The City Solicitor is appointed by Resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPOINTING BEARD LEGAL GROUP, P.C., AS THE SOLICITOR FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA CONTINUING THROUGH JANUARY 2, 2024.

Recommended Action – Adopt the proposed Resolution appointing Beard Legal Group as City Solicitor.

3. Loan Review Committee – The term of Karen Carter Brandon, Linda Morris and Sharon Honkus expire at the end of 2021. Seats on the Loan Committee are selected by the City Manager (Admin. Code Section 283.01) and confirmed by Resolution of Council.

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, CONFIRMING APPOINTMENTS TO THE LOAN REVIEW COMMITTEE.

Recommended Action – Adopt the proposed Resolution confirming appointments to the Loan Review Committee.

4. Animal Control Agreement – The City’s annual Agreement with the Humane Society to provide animal control services expires at the end of the year. This Resolution renews that Agreement for another year. The cost is \$10,000 annually.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO ENTER INTO AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE AN ANIMAL CONTROL SERVICES AGREEMENT WITH THE HUMANE SOCIETY OF CAMBRIA COUNTY FOR A ONE-YEAR TERM.

Recommended Action – Adopt the proposed Resolution renewing the Agreement for animal control services with the Humane Society.

5. Fairfield Avenue Stormwater Project – In August 2021 City Council adopted Resolution No. 10445 approving a Cooperative Agreement with the Johnstown Redevelopment Authority to include stormwater system repairs in JRA’s sewer rehabilitation contract for Fairfield Avenue. The cost was estimated to be \$1.5 million plus any costs to be determined for necessary street resurfacing. In addition, the Engineer and staff added catch basins, lateral verification, by-pass pumping and lateral connection to the contract. The total cost for the change order is now \$1,995,729. It is necessary to adopt the proposed Resolution approving the adjusted cost of \$1,995,729. This project is being paid for with ARPA funds, and adequate funds are budgeted to cover the adjusted cost.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO A CONTRACT BETWEEN THE JOHNSTOWN REDEVELOPMENT AUTHORITY AND TERRA WORKS, INC. IN THE AMOUNT OF \$1,995,729.50 FOR THE REPLACEMENT OF THE STORMWATER SYSTEM ALONG FAIRFIELD AVENUE (Budget Line Item No. 28.466.28.567.00).

Recommended Action – Adopt the proposed Resolution approving the change order for the stormwater repairs along Fairfield Avenue.

6. Property & Casualty Insurance Renewal – The City’s property and casualty insurance expires on December 31, 2021. Two proposals were received.

	<u>Gallagher</u>	<u>HDH</u>
Property & Liability	\$283,614	\$252,487

Staff recommends that property and liability coverage be acquired from HDH. Workers compensation will continue to be provided by Gallagher.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA SELECTING A PROPOSAL FOR THE CITY PROPERTY, GENERAL LIABILITY, AND WORKERS’ COMPENSATION INSURANCE COVERAGE(S) EFFECTIVE JANUARY 1, 2022 AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE ANY/ALL AGREEMENTS AND NOTICES NECESSARY TO EFFECTUATE SAME.

Recommended Action – Adopt the proposed Resolution approving the acquisition of insurance for the 2022 calendar year.

NEW BUSINESS:

1. Johnstown Redevelopment Authority – The term of Jack Babich expires at the end of 2021.

Recommended Action – Adopt a motion appointing _____ to a new five-year term on the Johnstown Redevelopment Authority, expires 12/31/2026.

2. Johnstown Planning Commission – The terms of Barry Gallagher and Peter Vizza expire at the end of January 2022. Mr. Vizza does not wish to be reappointed.

Recommended Action – Adopt a motion appointing _____ and _____ to new four-year terms on the Johnstown Planning Commission, expire 1/31/2026.

3. Johnstown Zoning Hearing Board – The term of Raymond Gaydos expires at the end of January 2022.

Recommended Action – Adopt a motion appointing _____ to a new three-year term on the Johnstown Zoning Hearing Board, expires 1/31/2025.

4. Greater Johnstown Water Authority – The term of William Gentile expires at the end of 2021.

Recommended Action – Adopt a motion appointing _____ to a new five-year term on the Greater Johnstown Water Authority, expires 12/31/2026.

5. Cambria County Tax Committee – This Committee oversees the collection of earned income tax for all of Cambria County. Johnstown has never formally appointed a representative.

Recommended Action – Adopt a motion appointing Robert Ritter as representative and Samantha Williams (GJSD Business Manager) as alternate.

6. Meeting Schedule – Meetings are currently conducted on the second Wednesday of each month at 6:00 p.m.

Recommended Action – Approve a motion designating the second Wednesday of each month at 6:00 p.m. for monthly Council meetings.

7. Council Committees – Committees of Council have been named in the past by Resolution, which is not necessary. Council may wish to discuss whether standing committees are necessary at all, or if ad hoc committees should be appointed only as the need arises.

If standing committees are preferred, the following are the proposed committee assignments for members of Council in 2022-2023.

Legislative Affairs	Mayor Janakovic, Chair; Deputy Mayor Marie Mock
Public Safety/Public Works	Mike Capriotti, Chair; Laura Huchel; Ricky Britt
Buildings and Grounds	Charles Arnone, Chair; Laura Huchel
Downtown	Mayor Janakovic, Chair; Ricky Britt
Parking Operations	Laura Huchel, Chair; Charles Arnone
Boards, Authorities & Commissions	Marie Mock, Chair; Mike Capriotti
Recreation	Rev. King, Chair; Marie Mock
Budget & Finance	Marie Mock, Chair; Mike Capriotti; Mayor Janakovic
Community & Economic Development	Rev. King, Chair; Ricky Britt; Marie Mock

Recommended Action – If so desired, approve a motion designating the listed committee assignments.

OLD BUSINESS:

1. Main Street Committee – Council has indicated its desire to have broad representation on the committee charged with the design of the upcoming Main Street project. The following are those that have been appointed to that committee.

Alex Ashcom, Ass't City Manager
Frank Janakovic, Mayor
Sylvia King, Council
Mike Tedesco, Vision 2025
Melissa Radovanic, Discover Johnstown
Bill McKinney, Carnegie Building
Angelo Dirosa, Capri
Rev. Charles Johnson, Steven's Memorial
Darlette Haselrig

John Dubnansky, Community Development
Laura Huchel, Council
Jared Campagna, Public Works
Melissa Komar, JRA
Mike Artim, Balance
Sharon Honkus, Celestial Brides
Deacon Jeffrey Wilson, NAACP
Mike Messina, Chameleon Book Store

Recommended Action – No action required.

2. JRA 2021 Appointment – Effective September 2020, the Urban Redevelopment Authority Law was amended making it the responsibility of City Council to appoint members to the JRA rather than the Mayor. Local officials were unaware of the change, and Bruce Haselrig was reappointed to a 5-year term in January 2021 by the Mayor. Staff recommends that City Council simply affirm that 2021 appointment. This oversight does not affect any actions/votes taken by Mr. Haselrig in 2021 as Authority members continue to serve until a successor is appointed.

Recommended Action – Make a motion affirming that Bruce Haselrig was appointed to a 5-year term on the Johnstown Redevelopment Authority effective January 2021.

3. JRA Sewer Loans – Council requested that Melissa Komar attend the meeting to discuss the status of JRA's loan program for private sewer lateral rehabilitation.

Recommended Action – No action required.

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

RECESS/ADJOURNMENT:

NEXT SCHEDULED COUNCIL MEETING:

Regular January Meeting: January 12, 2022 at 6:00 PM at the conference center.

Council will conduct an executive session immediately following tonight's Council meeting for the purpose of discussing the hiring of a City Manager.

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.