



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

WEDNESDAY, FEBRUARY 9, 2022

REGULAR MEETING – 6:00 PM

City Council

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

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENT OF EXECUTIVE SESSION OF FEBRUARY 9, 2022.

APPROVAL OF MINUTES:

Minutes January 3rd, 2022

Minutes January 12th 2022

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:

1. Local Taxpayer Bill of Rights – Act 50 of 1998 required municipalities levying certain eligible taxes to adopt rules and regulations for the administration of those taxes. Johnstown adopted the required rules under Resolution No. 8535 dated 3/24/1999. The Act has since been amended. An Ordinance is now required for compliance.

BILL NO. 2 OF 2022 - AN ORDINANCE AMENDING AND RESTATING THE LOCAL TAXPAYERS BILL OF RIGHTS ADOPTED ON MARCH 24, 1999, BY AMENDING CERTAIN SECTIONS PERTAINING TO RULES AND REGULATIONS, DISCLOSURE STATEMENT, AND ADOPTING A FORM OF TAXPAYER PETITION AND ADOPTING ADMINISTRATIVE APPEAL PROCEDURES; AND AMENDING AND RESTATING

THE POWERS AND DUTIES OF THE FINANCE DIRECTOR IN THE BUSINESS PRIVILEGE TAX ORDINANCE.

Recommended Action #1 – Motion to amend Bill No. 2 of 2022 to include Schedules 1,2, and 3 to Exhibit D reflecting the information request time extension procedure notice, petition for appeal and refund form, and initial refund claim form as part of the Local Taxpayer Bill of Rights and referenced therein.

Recommended Action #2- Grant final approval of Bill No. 2 of 2022, as amended, adopting a restated Local Taxpayer Bill of Rights.

2. Property Maintenance Ordinances – The staff has completed revisions to the Abandoned Vehicle Ordinance that will allow city staff to enter the property and remove the vehicle.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING CHAPTER 468 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN TITLED “JUNKED AND/OR ABANDONED MOTOR VEHICLES” BY AMENDING THE DEFINITIONS AND AMENDING THE ENFORCEMENT PROVISION.

Recommended Action – Grant final approval to Bill No. 3 of 2022 amending Chapter 468 of the Codified Ordinances of the City of Johnstown.

ORDINANCES FOR FIRST READ:

1. Wage Amendments – There are two adjustments that are necessary in 2022. First, the wage of the Residential Development Officer, first hired in November 2020, was miscalculated in 2021 and therefore again in 2022. This is a small adjustment retroactive to January 2021. Second, the salary of the City Manager is increased to \$135,000.

BILL NO. 4 OF 2022 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, AMENDING ORDINANCE NO. 5322 ADOPTED DECEMBER 8, 2021 AMENDING THE SALARIES AND WAGES TO BE PAID TO CERTAIN EMPLOYEES OF THE CITY OF JOHNSTOWN FOR THE CALENDAR YEAR 2022.

Recommended Action - Grant tentative approval to Bill No. 4 of 2022 amending the Wage & Salary Ordinance.

2. Zoning Ordinance Amendment – This Ordinance, which prohibits parking of vehicles in residential yards, was first introduced in July 2021. Its passage was tabled several times over questions concerning the type of parking surface that would be required. Due to the extent of the amendments since first introduced, the Ordinance was resubmitted to the city and county planning commissions for comment. Those comments have been received. A public hearing was to be scheduled prior to tonight’s meeting, but the 10-day public notice was missed.

This bill (#8 of 2021) has been under consideration for so long that staff recommends it be allowed to die, and be reintroduced tonight as Bill #5 of 2022. It can be scheduled for second read in March, with a public hearing scheduled prior to the March meeting.

BILL NO. 5 OF 2022 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF THE

CITY OF JOHNSTOWN, BY PROHIBITING PARKING IN CERTAIN RESIDENTIAL YARDS AND EXCLUDING CERTAIN TYPES OF BARRIERS FROM THE DEFINITION OF FENCE.

Recommended Action – Grant tentative approval to Bill No. 5 of 2022 amending the City of Johnstown Zoning Ordinance.

3. Annual Code of Ordinances Update – American Legal has completed the annual update of the City’s Code of Ordinances. All Ordinances adopted through December 2021 have been added to the Code. An Ordinance is required to verify that the Code has been properly updated.

BILL NO. 6 OF 2022 - AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES.

Recommended Action - Grant tentative approval to Bill No. 6 of 2022 approving the annual update to the Code of Ordinances.

RESOLUTIONS:

1. Murdock Street Property Purchase - The Cambria County Conservation and Recreation Authority has agreed to sell two properties to the City that are located along Murdock Street (map included with agenda packet). The purpose of the City acquiring the properties is to relocate the City Fire Department training school. The purchase price of the property reflects the amount paid at tax sale by the Cambria County Conservation and Recreation Authority.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER AND/OR HIS DESIGNEE(S) TO ENTER INTO A CONTRACT IN THE AMOUNT OF TWO THOUSAND, FIVE HUNDRED, FIFTY DOLLARS AND 76 CENTS (\$2,550.76) WITH CAMBRIA COUNTY CONSERVATION AND RECREATION AUTHORITY FOR THE PURCHASE OF TWO VACANT PARCELS (77-003.101.000, 77-002.502.000) SITUATED ON MURDOCK STREET IN THE CITY OF JOHNSTOWN ON THE PLAN ATTACHED.

Recommended Action - Adopt the proposed Resolution approving the purchase of two properties along Murdock Street from the Cambria County Conservation and Recreation Authority for \$2,250.76.

NEW BUSINESS:

OLD BUSINESS:

1. Chickens – Christine Dahlin recently sought a relaxation of the regulations governing chickens. The matter was referred to staff for a recommendation. Staff disagrees with the premise of several points raised by Ms. Dahlin and will discuss with Council.

Recommended Action – No action required.

2. ARPA Fund Distribution – There was a discussion at the December 8th meeting about the proposed application process for the ARPA funds. Council members King and Mock were asked to meet with staff in order to resolve some differences prior to further consideration by

Council. Since that discussion, the US Department of Treasury issued its final rules for how the funds may be used. The final rules and ARPA fund distribution will be discussed during the upcoming Council Workshop scheduled for February 16.

Recommended Action – No action required.

DEPARTMENT REPORTS:

1. Public Works
2. Police Department
3. Fire Department
4. Community Development
5. Codes Enforcement

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

RECESS/ADJOURNMENT:

NEXT SCHEDULED COUNCIL MEETING – March 9, 2022 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.