

JOHNSTOWN CITY COUNCIL
REORGANIZATION MEETING MINUTES
Monday, January 3, 2022

ADMINISTRATION OF OATHS OF OFFICE

Prior to the start of the Reorganization Meeting, the Honorable Judge Tamara Bernstein administered the oaths of office to Mayor Frank Janakovic, and Council members Reverend Sylvia King, Marie Mock, Ricky Britt and Laura Huchel.

EXECUTIVE SESSION

City Council met in a stated session for the general transaction of business.
Mayor Frank Janakovic called the meeting to order at 6:26 p.m.

Reverend King offered the invocation and the Pledge of Allegiance was recited.

The following members of Council were present for roll call:

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

Dan Penatzer, Interim City Manager; Robert Ritter, Finance Director; Jared Campagna, Public Works Director; John Dubnansky, Economic Development Director; Richard Pritchard, Police Chief; Robert Statler, Fire Chief; Elizabeth Benjamin, Esquire, City Solicitor, Melissa Komar, Executive Director, JRA, and Cheryl Labosky, Finance Director, JRA, were also present.

PUBLIC COMMENT-AGENDA ITEMS ONLY

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council regarding the Administrative Code Amendment on the agenda. He commented that the Council could still vote no to amend the Administrative Code and force the City Manager to reside in the City. He inquired who wrote the wording that appeared on the ballot regarding this matter.

Mr. DeBartola stated he was "curious" as to why Council feels the need to employ Counsel who does not live in this city or county. He asked why local Counsel was not chosen to be the City's Solicitor. He also commented about the appointments to Boards tonight and asked if Council was going to reappoint a man "who does not live in PA (Jack Babich)" back on to the JRA Board and noted another Board member "lives outside the City" (Mark Pasquerilla).

Mr. DeBartola commented that William Gentile's appointment to the GJWA expired at the end of 2021 and asked if Council would again appoint someone with such a "checkered past". He referred to an article in the 1991 Tribune Democrat wherein Mr. Gentile pled guilty to gambling and conspiracy charges.

He stated he was "happy that Council took his advice" and appointed minorities to the Main Street Committee. Again asked if Council was going to appoint someone with a checkered past (Deacon Jeffrey Wilson). He referred to an article in the 2006 Pittsburgh Post Gazette wherein Deacon Wilson was indicted for impersonating an FBI agent.

He asked that these appointments not be made.

ELECTION OF DEPUTY MAYOR

Mayor Janakovic nominated Michael Capriotti. Mr. Capriotti received the following votes:

Mr. Arnone, Mr. Capriotti, Mayor Janakovic, Mrs. Mock, Ms. Huchel (5).

Mr. Britt nominated Reverend Sylvia King. Reverend King received the following votes:

Mr. Britt, Reverend King (2).

Michael Capriotti was congratulated as Deputy Mayor.

ORDINANCE FOR FINAL READ

BILL NO. 18 OF 2021, AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF 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.

Mr. Arnone made a motion to amend Bill No. 18 to reflect the addition of ordinance numbers within the preamble. The motion was seconded by Mr. Britt and passed by the following vote:

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

Nays: None (0).

Abstention: Ms. Huchel (1).

Mr. Arnone made a motion to approve Bill No. 18, as amended, amending the Administrative Code relative to the City Manager residency. The motion was seconded by Mr. Britt and passed by the following vote:

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

Nays: None (0).

Abstention: Ms. Huchel (1).

ORDINANCES FOR FIRST READ

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

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

Mr. Dubnansky explained an agreement was approved between the City and JRA to help fight blight and to bring properties back on the market, and JRA is a better organization for the City to work with to make that happen.

The motion 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. 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 23RD, 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.

Mr. Arnone made a motion to remove from table. The motion was seconded by Mrs. Mock and passed by the following vote:

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

Nays: None (0).

Abstention: Ms. Huchel (1).

Mr. Arnone made a motion to approve. The motion was seconded by Mrs. Mock 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).

Interim City Manager Penatzer explained that Ms. Huchel's abstentions do not indicate indifference, that these actions were started the prior year and she was not comfortable voting on them.

Mr. Penatzer explained that codification of an ordinance is done as a process, and the history of each ordinance does not need to be included. He noted this would be the last time an ordinance would be given in history format. A simple explanation of the ordinance would be read going forward.

Ms. Benjamin explained that it is important to have the legislative history of a bill particularly as it has been amended over time reflected in ultimate codification. It could more effectively be addressed either as a footnote or by reference to the codification. To make the bill clearer to the public as to what the actual bill title is and is intended to address would be the recommendation.

RESOLUTIONS

Resolution No. 10486

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.

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Mr. Arnone made a motion to approve the resolution. The motion was seconded by Mr. Capriotti and 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. 10487

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.

Mr. Capriotti made a motion to approve the resolution. The motion was seconded by Mr. Arnone and 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. 10488

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

Mr. Arnone made a motion to approve the resolution. The motion was seconded by Reverend King 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. 10489

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 ONE YEAR TERM.

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Mr. Arnone made a motion to approve the resolution. The motion was seconded by Mr. Capriotti 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).

Resolution No. 10490

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).

Mr. Arnone made a motion to approve the resolution. The motion was seconded by Mrs. Mock 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).

Resolution No. 10491

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.

Mr. Britt made a motion to approve the resolution. The motion was seconded by Mr. Arnone.

Mr. Penatzer noted both bids are listed on the agenda. It is a single action. Gallagher's bid of \$283,614 was accepted for Workers' Compensation, and the HDH bid of \$252,487 was accepted for the property and liability. Mr. Ritter noted an increase in the Workers' Comp and a decrease for the property insurance.

The motion passed by the following vote:

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

Nays: None (0).

Abstention: Ms. Huchel (1) abstained as an employee of Gallagher.

NEW BUSINESS:

1. Johnstown Redevelopment Authority Appointment

The term of Jack Babich expired at the end of 2021.

Mr. Capriotti made a motion to nominate Ms. Huchel to a new five-year term on the Johnstown Redevelopment Authority, expires 12/31/2026. The motion was seconded.

There were no further nominations.

The motion passed by the following vote:

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

Nays: None (0).

2. Johnstown Planning Commission

The terms of Barry Gallagher and Pete Vizza expire at the end of January 2022. It was noted that Mr. Vizza did not wish to be reappointed.

Mrs. Mock made a motion to table. The motion was seconded by Mr. Arnone and passed by the following vote:

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

Nays: None (0).

3. Johnstown Zoning Hearing Board

The term of Raymond Gaydos expires at the end of January.

Mrs. Mock made a motion to table. The motion was seconded by Mr. Arnone and passed by the following vote:

Yeas: Mrs. Mock, Ms. Huchel, Mr. Arnone, Mr. Britt,
Mr. Capriotti, Mayor Janakovic, Reverend King (7).
Nays: None (0).

4. Greater Johnstown Water Authority

The term of William Gentile expired at the end of 2021.

Mr. Arnone made a motion to nominate Dave Vitovich. Mr. Britt seconded the motion.

There were no other nominations.

The motion passed by the following vote:

Yeas: Ms. Huchel, Mr. Arnone, Mr. Britt, Mr. Capriotti,
Mayor Janakovic, Reverend King, Mrs. Mock (7).
Nays: None (0).

5. Cambria County Tax Committee

Mr. Arnone made a motion to nominate Mr. Ritter as representative and Samantha Williams (GJSD Business Manager as alternate. The motion was seconded by Mrs. Mock 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).

6. Meeting Schedule

Mayor Janakovic noted that meetings are currently conducted on the second Wednesday of each month at 6:00 p.m.

Mr. Arnone made a motion to approve the designation of the second Wednesday of each month at 6:00 p.m. 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).

7. Council Committees

There was discussion as to whether these standing committees were necessary at all or if ad hoc committees should be appointed as the need arises. There was further discussion.

The following are the proposed committee assignments for members of Council for 2022-2023:

Legislative Affairs	Mayor Janakovic, Deputy Mayor Mock
Public Safety/Public Works	Mr. Capriotti, Chair; Ms. Huchel; Mr. Britt
Buildings and Grounds	Mr. Arnone, Chair; Ms. Huchel
Downtown	Mayor Janakovic, Chair; Mr. Britt
Parking Operations	Ms. Huchel, Chair; Mr. Arnone
Boards, Authorities & Commissions	Mrs. Mock, Chair; Mr. Capriotti
Recreation	Reverend King, Chair; Mrs. Mock
Budget and Finance	Mrs. Mock, Chair; Mr. Capriotti; Mayor Janakovic
Community & Economic Develop.	Reverend King, Chair; Mr. Britt; Mrs. Mock

Mayor Janakovic made a motion to approve the committee assignments as listed above. The motion was seconded by Mr. Britt 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).

OLD BUSINESS

1. Main Street Committee

Mr. Penatzer indicated that Council had indicated a desire to have broad representation on the committee charged with the design of the upcoming Main Street project. The following are those who have been appointed to that committee:

Alex Ashcom, Assistant City Manager	John Dubnansky, Comm. Develop
Frank Janakovic, Mayor	Laura Huchel, Council
Reverend Sylvia King, Council	Jared Campagna, Public Works
Mike Tedesko, Vision 2025	Melissa Komar, JRA

Melissa Radovanic, Discover Johnstown	Mike Artim, Balance
Bill McKinney, Carnegie Building	Sharon Honkus, Celestial Brides
Angelo DiRosa, Capri	Deacon Jeffrey Wilson, NAACP
Reverend Charles Johnson, Steven's Memorial	
Darlette Haselrig	Mike Messina, Chameleon Book Store

No action was necessary.

2. JRA 2021 Appointment

Mr. Penatzer explained that the Urban Redevelopment Authority Law was amended making it the responsibility of the Council to appoint members to the JRA rather than the Mayor, that Bruce Haselrig was appointed to a five-year term in January of 2021 by the Mayor. It was recommended that Council affirm that 2021 appointment.

Mr. Arnone made a motion to approve the appointment. The motion was seconded by Mr. Capriotti 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).

3. JRA Sewer Loans

Melissa Komar, JRA Executive Director, and Cheryl Labosky, JRA Finance Director, were present to discuss the status of JRA's loan program for private sewer laterals.

Mrs. Komar referred to her report for further discussion of the sewer compliance program, including the number of processed and completed applications, the overall costs at this point, and the applications that were received.

Mr. Arnone suggested that the City provide money to the JRA to get the remaining City residents under contract. Mrs. Komar explained that, with the City's financial assistance, an invoice can be submitted monthly through the City's accounting department as a reimbursement back to JRA, and JRA would provide a monthly status report. There was further discussion regarding the ARPA funds, and Mr. Penatzer commented that any reference in this discussion to the ARPA funds would not be practical. A proposal of available City monies available would be drafted for discussion at a future meeting. Mr. Arnone noted that the GJWA would be assisting different municipalities, if desired, to get out of the sewage business. Mrs. Komar suggested discussion

with the County to see if CDBG grant dollars could be increased to offset the amount borrowed by the property owner. Ms. Labosky believed that the City and County guidelines were identical. Mrs. Komar noted that \$16.8 million would complete the sewer project for the City of Johnstown.

Mrs. Komar indicated the land bank proposal was approved at JRA's last meeting, and information was submitted to the Tax Claim Bureau for review. There would be further discussion regarding that matter.

PUBLIC COMMENT - NON-AGENDA ITEMS

John DeBartola, 1197 Bedford Street, addressed Council regarding a rumor concerning the possible appointment of Ethan Imhoff, a non resident of the City, as Council's new City Manager and "leading the charge" to bring Afghan refugees to the Johnstown area. He asked how Council members could "be behind" bringing in refugees by a group that "Council funded.

Mayor Janakovic commented that Council would not address any rumors, and all people regardless of race, color, origin, were always welcome.

RECESS/ADJOURNMENT

There being no further business, the meeting concluded at 7:36 p.m.

Next scheduled Regular Council Meeting scheduled for January 12, 2022 at 6:00 p.m. and would be held at the Conference Center.

EXECUTIVE SESSION