

JOHNSTOWN CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, February 8, 2023

City Council met in a stated session for the general transaction of business.
Mayor Janakovic called the meeting to order at 6:00 p.m.

Reverend King offered the invocation previously. The Pledge of Allegiance was recited.

Mayor Janakovic announced that an Executive Session was held after the January 11, 2023 meeting with regard to personnel.

The following members of Council were present for roll call:

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

Ethan Imhoff, City Manager; Alex Ashcom, Assistant City Manager; John Dubnansky, Economic Development Director; Elizabeth Benjamin, Esquire, City Solicitor; Robert Statler, Fire Chief; Richard Pritchard, Police Chief; Jared Campagna, Public Works Director, were also in attendance.

APPROVAL OF MINUTES

Mr. Arnone made a motion to approve the Regular Meeting Minutes of January 11, 2023. The motion was seconded by Mrs. Mock and passed by the following vote:

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

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

None.

PUBLIC COMMENT-AGENDA ITEMS ONLY

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council regarding Bill No. 1 of 2023, which was tabled. He read the ordinance into the record. He noted that Council "bent over backwards in the past" to give special consideration to a former Councilman's use of property, but stated Council is "stonewalling" Mom's House request for a recreation center in Roxbury. He recommended passage of the ordinance.

Rose Barger, 311 Leila Street, Johnstown, an employee of Mom's House, presented before Council requesting passage of Bill No. 1 regarding Mom's House construction request for rezoning.

REPORTS

CITY MANAGER:

Ethan Imhoff, City Manager, updated Council on the LST petition, which he noted was approved by Judge Krumenacker through April 28, 2023, which is the proposed Act 47 exit date.

He noted Council meetings will be broadcast online hopefully starting with the March 2023 meeting.

The City Manager reported that with regard to the RAISE funds, a contract was awarded at the last meeting to Michael Baker, a contract was signed and the process is underway. A contract for Council's approval on the design piece of the project will be presented at the March meeting.

Mr. Imhoff reported that he, Mayor Janakovic and a few other Johnstown officials were recently in Washington, D.C. to meet with elected officials including Congressman Joyce, Senator Casey and Senator Fetterman's staff, EPA Brownfield's Division staff and the Department of the Interior regarding grants pending for the Flood Museum, brownfield work at Silver Park, community health initiatives and public safety facilities.

MAYOR:

Frank Janakovic, Mayor, noted his attendance recently at the St. Patrick's Church prayer vigil to show support for the Moxham community.

The Mayor attended the DCED public hearing for the termination of Act 47.

He attended the recent Cambria County Chamber of Commerce bimonthly meeting and the Regional Partnership meetings.

Mayor Janakovic reiterated what the City Manager said, noting they had the luxury of sitting down with elected officials and having a conversation regarding Johnstown and its future. He stated all were supportive of the projects and future grants.

CITY SOLICITOR:

Elizabeth Benjamin, Esquire, noted her report was related to the LST petition, which the City Manager discussed earlier and had nothing further.

CITY ENGINEER:

Members were referred to the City Engineer's monthly report for further review.

COUNCIL UPDATES/NEIGHBORHOOD LIAISONS:

Ms. Huchel had no report.

Reverend King welcomed Reverend Hyiwot Teshome, the new pastor of First Presbyterian Church downtown.

On February 19, 2023 beginning at 4:00 p.m. Gallery on Gazebo will present a Heart and Soul event at the Pasquerilla Center downtown in recognition of Black History Month.

A Martin Luther King concert was recently presented by the Johnstown Symphony Orchestra in collaboration with Christ Centered Community Church and the NAACP at the State Theater.

Reverend King reported that Saturday, March 18, 2023, a women's showcase honoring African American women in the community will be held at the Heritage Center.

Mrs. Mock had no report.

As Council's representative on the GJWA Mr. Arnone reported that 21 lead services replaced in January.

All reservoirs are full and operating properly.

He reported that Snyder is approximately 98 percent completed with the construction of the whole sewer project, 96 percent completed with the main line through Coopersdale, 90 percent completed with viewports and 95 percent completed with convergence.

Pressure testing as of the end of January 2023 was 61 percent.

Mr. Arnone provided an update on statistical information related to the population of public housing communities located within the City of Johnstown. He reported that as January 31, 2023, the population of the public housing communities was 2,605 and Section Eight voucher holders total 1,065, which amounts to a total of 3,670 families. Currently 49 percent of the people living in poverty in the City of Johnstown are being assisted.

He stated the Johnstown Housing Authority was proudly announcing its award of a Family Self-Sufficiency grant from HUD, which JHA will hire a coordinator to contact residents regarding employment opportunities and other resources. Mr. Arnone noted JHA is one of

only 70 new FSS programs in the entire country among the 2023 awards. Mr. Arnone discussed the position of coordinator.

Mr. Arnone reported the staircases in the Coopersdale Homes have been pressure washed and are awaiting painting.

He had no comment regarding an incident with an individual at the Johnstown Housing Authority but stated it was a logical answer to the situation. He advised those interested parties in attendance that there could be no further discussion regarding the matter due to legal consequences.

Mr. Britt noted his attendance at a gathering at St. Mark's Church regarding those people leaving prisons, homeless people and recovering addicts. There was an informational discussion regarding how to help them get back into society. Another event will be scheduled in the future.

Mr. Capriotti had no report.

Mayor Janakovic noted the Roxbury Reverse Raffle will be held on Friday, February 17, 2023 at the Richland Fire Hall to support the free concerts held at the band shell.

He noted the Cambria Somerset Heart Ball will be held Saturday, February 18, 2023 at the Conference Center.

PETITIONS

None.

ORDINANCES FOR FINAL READ AND ADOPTION

BILL NO. 23 OF 2022, (TABLED) 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."

Mr. Arnone made a motion to remove from table. 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).

Mr. Imhoff noted this ordinance was tabled last meeting and there was ongoing litigation with regard to the skill machines. It was concluded that there was no prohibition on the Amusement Tax applying to skill machines. Applying it to skill machines would considerably increase enforcement responsibilities. He suggested further discussion at the next meeting.

Ms. Benjamin stated legal questions were addressed and determined there was nothing within the current law that prohibits the inclusion of those machines within the ordinance at this time. She suggested another month to review the matter more closely.

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

Mr. Capriotti recommended that a plan be put in place and that it would not cost more to enforce it than it would to recoup the revenue. He suggested the ordinance would require a person dedicated solely for this purpose who would visit all places with these skills machines and detail all information necessary.

Mr. Arnone suggested a third party handle the matter on a commission basis.

There was further discussion.

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).

ORDINANCES FOR FIRST READ:

BILL NO. 1 OF 2023, 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 8TH WARD OF THE CITY OF JOHNSTOWN (TABLED).

Reverend King made a motion to remove from table. 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).

Mr. Arnone stated Council was not given proper information regarding this property, and the matter has to be reviewed "in the proper way." He suggested the matter be tabled and sent back to the Planning Commission for clarification.

Reverend King noted confusion on the matter and agreed that proper steps should be taken.

Ms. Benjamin options include remanding back to the Planning Commission for further information not received the first time including a request for a recommendation. She explained another alternative would be to consider their failure to recommend approval or denial as the same as an extension, which would serve as a denial and then Council would decide if it wanted to take it forward.

Mr. Capriotti noted as a member of the Planning Commission that upon review the Commission wanted to keep it as a C-1 and there was further discussion to move it to C-2, which is the zoning requirement it falls under. He noted that at some point the Applicant indicated taking it down to an R-1, which the Planning Commission felt inappropriate and directed the Applicant to come up with a better option, which Applicant chose not to do. At that point, Commission members chose to move it along without recommendation or denial of approval.

Mr. Capriotti opined that it is the Commission's responsibility to make a recommendation and he suggested the matter be sent back to the Commission for review.

Mr. Capriotti explained that if Council approves rezoning as an R-1 and the Applicant continues with the plan presented to the City and the Planning Commission, that Applicant would then need to come back to the City for a special variance regarding the matter. But that recommendation of approval or denial is the job of the Planning Commission.

Ms. Huchel understood the reason it was provided to the Planning Commission is Applicant would like to down zone to an R-1 based on the exception known as the Philanthropic Organization instead of up zoning to C-2.

Ms. Benjamin clarified the process is initiated with the Planning Commission, which provides a preliminary report to Council when it involves a zoning amendment. That City Council can introduce ordinances that propose a zoning amendment, and there is a requirement then after the first read to give notification for the purpose of receiving input to both the City and County Planning Commissions indicating City Council introduced it.

She further clarified that Council can request more input from the Planning Commission, but it was not required. If Council feels it has enough information to proceed with the First

Read this evening, it can do so as well. She explained the process that would need to take place once the First Read is adopted.

Mr. Imhoff noted the County Planning Commission recommended approval of the zoning request.

Ms. Huchel was in favor of remanding to the Planning Commission but would actually recommend in favor of C-2 rezoning.

Mrs. Mock made a motion that the Planning Commission soon a special meeting within the next few weeks to address the matter followed by a special meeting of Council for review and adoption. Mr. Capriotti added that the City Manager should send a letter to the Commission indicating Council's concerns and the Planning Commission provide Council with a recommendation one way or another. 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).

Ms. Benjamin recommended Bill No. 1 of 2023 be tabled for purposes of pursuing and receiving further information from the Planning Commission as described in the prior motion.

Mayor Janakovic made a motion to table. The motion was seconded by Reverend King and passed by the following vote:

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

Nays: None (0).

RESOLUTIONS:

Resolution No. 10552

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING A MINOR SUBDIVISION DIVIDING ONE PARCEL AT THE CORNER OF HARSHBERGER ROAD AND CROYLE STREET IN THE CITY OF JOHNSTOWN.

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, Ms. Huchel,

Mr. Arnone, Mr. Britt, Mr. Capriotti (7).
Nays: None (0).

Resolution No. 10553

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ENTERING INTO AN AGREEMENT WITH JOHNSTOWN CREDIT BUREAU TO PROVIDE COLLECTIONS SERVICES AND AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

Mr. Arnone made a motion to approve. 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).

NEW BUSINESS

Real Estate Tax Assessment Appeal - 507 Main LLC

Mr. Arnone made a motion to approve settlement of Cambria County Court of Common Pleas Docket No. 2021-3368 at the Fair market Value of \$332,760.00 for the 2022 and 2023 tax years. The motion was seconded by Mrs. Mock.

Mrs. Mock inquired about the amount of tax revenue lost regarding this matter. It was noted the matter involves the former Rite Aid building on Main Street. There was further discussion.

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).

Real Estate Tax Assessment Appeal - Gautier Steel

Mayor Janakovic made a motion to approve settlement of Cambria County of Common Pleas Docket No. 2021-3738 at the Fair Market Value of \$3,100,000.00 for the 2022-2023 tax years. The motion was seconded by Reverend King.

Mr. Arnone noted that a majority of the property is vacated and not useable.

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).

Draft City of Johnstown Fee Schedule

City Manager Imhoff noted staff compiled a draft fee schedule for Council to review, which he stated would be a lengthy but simple amendment to the ordinance. He stated these are not new fees but fees being centralized into one location to make it easier. He noted there would be further discussion at the next meeting regarding the matter.

Mr. Capriotti and Mr. Imhoff had discussion regarding the areas where a code or ordinance would need to be created and inquired who would receive false alarm letters and invoices. Council members would review the schedule for further discussion.

OLD BUSINESS

Loan Review Committee Appointment

Resolution No. 10554

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING AN APPOINTMENT TO THE LOAN REVIEW COMMITTEE AS RECOMMENDED BY THE CITY MANAGER.

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

Mr. Arnone stated he knows Mr. Thomas Boyd personally and has been in the banking business his entire life and that Council would be "blessed to have this man on that committee."

The motion passed by the following vote:

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

Nays: None (0).

Abstention: Reverend King (1) as she is an employee of the same bank.

Mr. Boyd was appointed to a three-year term, which would expire November 27, 2025.

The City Manager noted there is one outstanding vacancy on the Uniform Construction Code Board of Appeals with no volunteers for the position. But otherwise, all boards and commissions are up to date and positions filled.

DEPARTMENT REPORTS

1. Public Works

Jared Campagna, Public Works Director, reported a new mechanic started within the last 30 days under an internship through the military called Career Special Programs. The mechanic is active-duty military, which pays for everything.

2. Police Department

Chief Richard Pritchard provided a report regarding illegal drug activity in 2022 by stating the Bureau of Narcotics Investigation opened 33 cases, 27 arrests resulting; 21 search warrants were conducted at various homes and one warrant sweep. Warrant sweeps will continue and saturation details will be provided with the Pennsylvania State Police and agents from the Attorney General's Office.

A canine officer was moved up to a permanent narcotics detective position and works daily with the Attorney General's Office. The eight-year-old narcotics dog will join the officer in that position.

Chief Pritchard noted there is a tremendous outpouring of support from the community for the canine program. He stated 1889 contributed \$25,000 towards the new canine cruiser, and there are other organizations who are willing to help. The Chief noted the cost per dog is approximately \$10,000, and the new handler would go down to Florida, train with the breeder and the dog, and go out on patrol with the area sheriff's department.

The Chief stated the department is down eight officers and noted he would be looking at recruiting again shortly.

Chief Pritchard demonstrated the body-worn camera system, which would soon be up and running. He commented that there will be a meeting on February 14, 2023 regarding plate readers and discussed how the plate reader system would work.

A Policy Management System, which provides updates, will soon be going live.

Reverend King inquired about having information from neighborhood cameras go directly to the police department. Chief Pritchard stated there is a wing system that allows these cameras into the system. A meeting with Council could be scheduled regarding the matter.

3. Fire Department

Chief Robert Statler reported the RFP went out for concrete work at the training site. Meetings would be held with contractors regarding the matter.

4. Finance - No Report

5. Community Development

John Dubnansky, Economic Development Director, reported that administrative work continues with regard to the RAISE grant. He noted an extreme amount of business development activity or an upward spike within the past month with at least nine new businesses looking to come to the City over the next few months with the assistance of a small dollar development program and the larger Economic Development Program.

Mr. Dubnansky noted a grant was submitted on behalf of the police department for funding in the amount of \$200,000 for the police station.

An RFP has been released for updates for the video board at Sargent's Stadium.

He reported the loan programs are "on pause" awaiting payments to come back in so more money can be loaned out. The program has been restructured internally to keep better track of information. Mr. Dubnansky noted the Owner/Occupied Rehabilitation Loan Program continues to be on hold with a two-year wait list for projects.

In response to an inquiry by Mr. Arnone, Mr. Campagna indicated that work was completed to the first base side locker room for storage of Mill Rat equipment at Sargent's Stadium.

Mr. Arnone requested an update with regard to the installation of downspouts on the City Hall building, which was not completed. Mr. Campagna will look into the matter.

6. Code Enforcement

Dave Williams, Codes Enforcement Manager, reported that in the month of January, there were 153 service requests or code violations, 22 building permits, 31 commercial contractor licenses issued. Plumbers' licensing and master and journeymen's tests were also recently offered. A total of 30 new journeymen/ master plumbers tested.

Cleanup was held recently in the West End of two or three properties on D Street, one on Barron Avenue, one on Maryland Avenue. One on Iron Street in Minersville was also partially cleared. Coopersdale is also on the schedule.

Mr. Imhoff noted the dollar amount of \$110,000 for spring cleanup. Other options are being considered.

He indicated the City is registered with the Great American Cleanup in April and noted an ID number would be issued shortly. He stated one drawback is that you can only take garbage and litter from vacant lots or public rights of way. Volunteers are being sought from community groups to assist in the process.

PUBLIC COMMENT - NONAGENDA ITEMS

John DeBartola, 1197 Bedford Street, Johnstown, thanked Chairman Arnone of the Johnstown Housing Authority for addressing his concerns regarding the stairwells.

Mr. DeBartola commented that live Council meetings are "hard to watch" and noted the Planning Commission/City Council matter concerning recommendations is like "watching a ping-pong match."

He reminded Mr. Imhoff and Council members of the Lucy's Place zoning matter and that no action has taken place regarding a change to the zoning laws. He noted that it was stated that something would be done, but "once again, you're not doing it." Mr. DeBartola hoped to see the zoning amendment on the agenda for the next meeting.

Mr. DeBartola commented on the Mom's House zoning matter.

Mayor Janakovic commented that it was his and Council's job to make sure "we're doing it right" and "not just pass things" because of being pressured or told to do so.

RECESS/ADJOURNMENT

There being no further business, the meeting concluded at 7:29 p.m.

EXECUTIVE SESSION WAS HELD WITH REGARD TO PERSONNEL.

The next Regular Council Meeting is scheduled for March 8, 2023 at 6:00 p.m.