



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

WEDNESDAY, SEPTEMBER 13, 2023

City Council

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

REGULAR MEETING - 6:00 P.M.

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF MINUTES:

1. Regular Council meeting minutes of July 12, 2023
2. Regular Council meeting minutes of August 9, 2023
3. Special Council meeting minutes of August 22, 2023

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 AND ADOPTION:

None

ORDINANCES FOR FIRST READ:

Bill No. 8 of 2023 - Business Privilege Tax Collection Date Change - The City's current collection date for the Business Privilege Tax is in March, which makes the payment of this tax inconvenient for the businesses that pay it, as the current collection date is prior to April when most businesses file their taxes. The Greater Johnstown School District also collects this tax, but with a payment date in May. The City is proposing to change its collection date from March to May, in order to simplify the filing process for businesses. The change will also enable GJSD and the City to be able to send one bill instead of two.

AN ORDINANCE AMENDING THE CITY'S BUSINESS PRIVILEGE TAX ORDINANCE NO. 4312, PASSED NOVEMBER 22, 1983, AS AMENDED BY ORDINANCE NOS. 4610, 4670, 4816, AND 5327, AND AS CODIFIED AT TITLE FOUR, SECTION 872.05 OF CHAPTER EIGHT OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES, TO AMEND THE ANNUAL COLLECTION DATE OF THE BUSINESS PRIVILEGE TAX FROM MARCH TO MAY OF ANY APPLICABLE YEAR

Recommended Action - Make a motion to grant tentative approval to Bill No. 8 which will align the City of Johnstown Business Privilege Tax collection date with the Greater Johnstown School District's collection date.

Bill No. 9 of 2023 - Update to Public Participation Standards and Procedures at Council Meetings – Council wishes to update and clarify standards and procedures regarding public participation at City Council meetings to ensure compliance with current applicable law.

AN ORDINANCE AMENDING ORDINANCE 4654 TITLED AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE CODE FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA DESIGNATED POWERS AND DUTIES OF THE COUNCIL, CITY MANAGER, AND OTHER MUNICIPAL OFFICIALS, PASSED FINALLY ON OCTOBER 27, 1993 AND AS AMENDED BY SUBSEQUENT ORDINANCES SPECIFICALLY LISTED AND DETAILED WITHIN NOTE 1 OF SAID ORDINANCE BELOW¹, BY AMENDING CERTAIN SECTIONS OF ARTICLE II – ELECTED OFFICIALS – COUNCIL ORGANIZATION AND PROCEDURES, AND SPECIFICALLY, CODIFIED ORDINANCE SECTION 210.13, TO PROVIDE UPDATED PROCEDURES AND STANDARDS FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS

Recommended Action - Make a motion to grant tentative approval to Bill No. 9, updating the City's standards and procedures regarding public participation at City Council meetings.

RESOLUTIONS:

Inclusion of Minimum Municipal Obligation Calculations in 2024 Budget - Council must authorize the use of the Minimum Municipal Obligation calculations in the 2024 City budget. These are the minimum contributions the City must make to fund its pension plans. The calculations have been provided by the City's pension administrator, Mockenhaupt Benefits Group. The MMO contributions for 2024 are as follows: Firemen's Pension \$663,561; Police \$374,601; Administrative \$295,744; Sewage \$14,827. Total MMO contribution for the 2024 budget is calculated at \$1,348,733.

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, ACKNOWLEDGING RECEIPT OF AND AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO TAKE ANY/ALL ACTIONS NECESSARY TO INCLUDE THE CALCULATIONS OF THE MINIMUM MUNICIPAL OBLIGATION FOR EACH OF THE CITY'S PENSION FUNDS FOR INCLUSION IN THE 2024 MUNICIPAL BUDGET

Recommended Action - Make a motion to approve the inclusion of the Minimum Municipal Obligation for each of the City's pension funds in the 2024 City budget.

HOME American Rescue Plan Funding (TABLED) - Earlier this year, the City conducted required public meetings to solicit input on the use of American Rescue Plan funding received through the HUD HOME program. The feedback received favored the development of a non-congregate shelter. It should be noted the use of this allocation of American Rescue Plan funding through the HUD HOME program is much more restrictive than other Rescue Plan funding received by the City, and is primarily intended for housing projects.

The City subsequently released a request for proposals for the development of a non-congregate shelter, and received two proposals. Only one proposal met the criteria for use of the funds for the intended project. That proposal is from Victim's Services, which proposes to construct the non-congregate shelter at 307 Vine Street.

At the August 9th Council meeting, the proposal was tabled and not discussed, and remained tabled at the August 22nd special Council meeting. The item is placed on the agenda for Council consideration and discussion.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN
PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO EXECUTE AND
TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE AN AGREEMENT
WITH VICTIM SERVICES INCORPORATED IN THE AMOUNT OF \$749,683.00
THROUGH THE CITY'S HOME AMERICAN RESCUE PLAN PROGRAM FOR THE
DEVELOPMENT OF A NON-CONGREGATE SHELTER WITHIN THE CITY OF
JOHNSTOWN

Recommended Action - Make a motion to remove the item from the table for discussion about the proposal for proposal from Victim's Services Inc. to construct a non-congregate shelter at 307 Vine Street.

Subdivision for Property at 216 Barron Avenue - The property owner at 216 Barron Avenue applied to subdivide an existing garage from an existing residential dwelling. The garage has been used for many years by the business located at 219 Fairfield Avenue. The subdivision was recommended for approval by the Johnstown Planning Commission during their regularly scheduled September meeting.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, APPROVING A MINOR SUBDIVISION
AT 216 BARRON AVENUE

Recommended Action - Make a motion to approve the subdivision plan at 216 Barron Avenue.

Stormwater Management Grant Application - The City is working with several regional partner municipalities to seek funding for the planning and management of stormwater management systems. The group has interest in pursuing grant funding from the Pennsylvania Emergency Management Agency (PEMA). There are two grants, Building Resilient Infrastructure, and Communities; and Flood Mitigation Assistance for which the group would potentially apply. There is no financial commitment to the City to submit the letter of interest.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, APPROVING A LETTER OF INTEREST
TO BE SUBMITTED TO THE PENNSYLVANIA EMERGENCY MANAGEMENT
AGENCY

Recommended Action: Make a motion to approve the resolution approving a letter of interest for two grant programs administered by the Pennsylvania Emergency Management Agency (PEMA).

CDBG Parks Project at Forest Avenue, Somerset Street and Sandyvale Parks - Through its Community Development Block Grant (CDBG) program, the City is proposing to make improvements to three parks within the City; Forest Avenue, Somerset Street and Sandyvale Parks.

City staff conducted a competitive bidding process for all three projects. Sports and Recreation Associates, LLC was the low bidder on the project at a cost not to exceed \$391,300 for all three projects.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE CITY MANAGER
TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT
WITH SPORTS & RECREATION ASSOCIATES LLC., AWARDING THE CDBG
2023 PARK IMPROVEMENT PROJECT FOR FOREST AVENUE, SOMERSET
STREET AND SANDYVALE PARKS

Recommended Action – Make a motion to approve the bid from Sports and Recreation Management LLC in the amount of \$391,300 to construct improvements at Forest Avenue, Somerset Street and Sandyvale Parks.

PA DCED Targeted Development Program Application - The City is applying for \$125,000 in targeted development program funding from the Pennsylvania Department of Community and Economic Development. The program funding will be used to establish new businesses within the City.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN
PENNSYLVANIA AUTHORIZING THE CITY TO SIGN ALL DOCUMENTS
NECESSARY TO APPLY FOR FUNDING ASSISTANCE FROM THE
PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC
DEVELOPMENT IN THE AMOUNT OF \$125,000.00 THROUGH THE KEYSTONE
COMMUNITIES PROGRAM TO BE USED TOWARDS THE CONTINUATION OF
THE CITY'S TARGETED DEVELOPMENT PROGRAM WITHIN THE CITY OF
JOHNSTOWN

Recommended Action - Make a motion to approve the application to the PA Department of Community and Economic Development in the amount of \$125,000 to be utilized for the City's targeted development program.

PA DCED Façade Program Application - The City is applying for \$50,000 in funding from the PA Department of Community and Economic Development in order to continue the City's façade

improvement program. This funding is used to provide matching grants to commercial property owners interested in improving the exterior façade of their buildings.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN PENNSYLVANIA AUTHORIZING THE CITY TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR FUNDING ASSISTANCE FROM THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN THE AMOUNT OF \$50,000.00 THROUGH THE KEYSTONE COMMUNITIES PROGRAM TO BE USED TOWARDS THE IMPROVEMENT OF COMMERCIAL BUILDING FACADES WITHIN THE CITY OF JOHNSTOWN

Recommended Action - Make a motion to approve the application to the PA Department of Community and Economic Development in the amount of \$50,000 to be utilized for the City's façade program.

CDBG Demolition Contract - Through its Community Development Block Grant (CDBG) program, the City proposes to demolish twelve structures throughout the City that have become dilapidated and otherwise beyond repair. City staff conducted a competitive bidding process for the project. Leckey Demolition was the low bidder with a bid of \$97,900.00.

The twelve structures are located at: 366 Ihmsen Avenue, 600-600 ½ Somerset Street, 711 Barclay Avenue, 408 Corinne Street Rear, 217-19 Davis Street, 159 S. Derby Street Rear, 515-19 Plum Street, 156 Hudson Street, 163 Baumer Street, 412 Ash Street Rear, 260-62 Grove Avenue and 204 ½ D Street.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH LECKEY DEMOLITION SERVICE IN THE AMOUNT OF \$97,900.00 FOR CONTRACT #2023-06, CDBG STRUCUTRE DEMOLITION PROGRAM TO DEMOLISH TWELVE (12) STRUCTURES THROUGHOUT THE CITY OF JOHNSTOWN

Recommended Action - Make a motion to approve the bid from Leckey Demolition Services in the amount of \$97,900.00 to demolish twelve dilapidated structures throughout the City of Johnstown.

NEW BUSINESS:

Real Estate Tax Assessment Appeal - 250 Market Street (Holiday Inn) - Council is asked to make a motion to approve a settlement at the Cambria County Court of Common Pleas with Capital Estates LLC for the valuation of their property at 250 Market Street. Fair Market Value is established at \$3,997,500. The City solicitor and staff have negotiated with the property owner, and evaluated an independent appraisal. All parties agree to this assessment value.

Recommended Action: Motion to approve settlement of Cambria County Court of Common Pleas Docket No. 2022-3707 at the Fair Market Value of \$3,997,500.

OLD BUSINESS:

Housing Authority Vacancy - The term of John Slezak as a member of the Johnstown Housing Authority expired on August 1, 2023. Mr. Slezak submitted a request to be reappointed, and the JHA recommended his reappointment. Three other City residents submitted applications for the position, and their application materials are also included with the agenda materials.

Recommended Action - Review applications for a term on the Johnstown Housing Authority and make a motion for an appointment to a term that runs through August 1, 2028.

DEPARTMENT REPORTS:

1. Public Works
2. Police Department
3. Fire Department
4. Finance
5. Community Development
6. Code Enforcement

PUBLIC COMMENT: NON-AGENDA ITEMS (Limit 3 minutes)

RECESS/ADJOURNMENT:

NEXT REGULARLY SCHEDULED COUNCIL MEETING - October 11, 2023 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.