



**CITY OF JOHNSTOWN
CITY COUNCIL AGENDA
ANTHONY C. TRUSCELLO
COUNCIL CHAMBERS
WEDNESDAY, DECEMBER 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 November 8, 2023
2. Special Council meeting minutes of November 21, 2023

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

1. Recognition Award for City Christmas Market Committee

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:

Bill No. 10 of 2023 - Rezoning Application for 134 Iolite Avenue - The owner of 134 Iolite Avenue is petitioning the City to change the zoning classification of this property from R-2 General Residential Zoning District to M-3 Heavy Industrial Zoning District. The property, which currently has single family residential dwellings located upon it, is located adjacent to a self storage facility. The property owner wishes to sell the property to the owner of the self storage facility so that business can expand. The Johnstown Planning Commission reviewed the application at their September meeting and recommended it to City Council for approval. The Cambria County Planning Commission has also reviewed the application and recommended its approval.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AMENDING THE ZONING ORDINANCE AND MAP 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. 5330, PASSED, MARCH 9, 2022; AND ORDINANCE 5352, PASSED MAY 10, 2023 BY REZONING CERTAIN PARCELS OF LAND LOCATED IN THE 11TH WARD OF THE CITY OF JOHNSTOWN

Recommended Action - Make a motion to grant final approval to Bill No. 10 of 2023, changing the zoning of 134 Iolite Avenue from Two Family Residence District (R-2) to Heavy Industrial District (M-3).

Bill No. 11 of 2023 - Tax Levy Ordinance - The City must annually adopt a tax levy and assessment for real estate taxes. At 52.2021 mills, the real estate tax is proposed to remain unchanged for 2024. Also included in this levy is the collection of .28 mills for the Cambria County Library. This assessment was approved by City voters on May 21, 1991 in a referendum. This levy is also unchanged for 2024. The combined millage rate proposed for 2024 is 52.4821 mills, or 5.24821 dollars per hundred dollars on the assessed value of property. The City Council voted to approve the first read of the ordinance at its November 21st special meeting.

AN ORDINANCE OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING LEVY AND ASSESSMENT OF REAL ESTATE TAXES ON PROPERTY SITUATED IN THE CITY OF JOHNSTOWN AND FURTHER PROVIDING FOR THE IMPOSITION OF CERTAIN DISCOUNTS AND PENALTIES EFFECTIVE JANUARY 1, 2024

Recommended Action - Make a motion to grant final approval to Bill No. 11 of 2023, establishing the City's real estate tax rates for 2024.

ORDINANCES FOR FIRST READ:

None

RESOLUTIONS:

Approve 2024 City Budget and Capital Plan - Council held two public budget meetings, including a public hearing before tonight's meeting to formulate the 2024 City Budget and Capital Plan. The 2024 City Budget and Capital Plan have been drafted, posted and available for review in accordance with review requirements contained within the City's Home Rule Charter. As a reminder, City residents voted in 2021 to approve a referendum that changed the adoption process. The annual budget and capital plan may now be adopted by resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA ESTIMATING THE AMOUNT OF REVENUES TO BE RECEIVED BY THE CITY OF JOHNSTOWN FROM VARIOUS

SOURCES AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES FOR THE OPERATIONS OF THE VARIOUS FUNDS, BUREAUS, DEPARTMENTS, THE PAYMENT OF DEBT SERVICE AND THE PENSION FUND OBLIGATIONS OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2024, INCLUDING THE FOLLOWING CITY OF JOHNSTOWN FUND SECTIONS, AND THE RESPECTIVE FUNDS "BUDGET EXHIBIT DETAILS"

Recommended Action - Make a motion to approve the 2024 City Budget and Capital Plan.

Adjusting Line Items for December 2023 - The City Home Rule Charter requires line items to be balanced at the end of the year. As City staff does not know the precise line item balances that will occur through the end of the calendar year, this resolution provides the City Manager authorization to adjust line items to balance the budget through the end of December 2023. A report will be provided to Council at the January 2024 meeting showing what line items were adjusted. All line item adjustments shall take place within the previous 2023 budget amounts approved by Council.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO MAKE ANY/ALL LINE ITEM ADJUSTMENTS NECESSARY FOR THE MONTH OF DECEMBER 2023 TO BRING SAID LINE ITEMS INTO A POSITIVE BALANCE, SUBJECT TO A LIMIT OF THE AMOUNT OF TOTAL EXPENDITURES BUDGETED FOR THE 2023 CALENDAR YEAR

Recommended Action - Make a motion to approve the resolution granting the City Manager authority to adjust line items through the end of the year within previously approved 2023 budgetary amounts.

Local Share Account Application Submittal - The City is applying to the Local Share Account program through the Pennsylvania Department of Community and Economic Development for funding to renovate the West End City Fire Department station, and purchase two police cars.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT A GRANT REQUEST TO THE STATEWIDE LOCAL SHARE ACCOUNT GRANT PROGRAM IN THE AMOUNT OF \$917,600 TO BE USED TOWARDS THE CITY OF JOHNSTOWN PUBLIC SAFETY IMPROVEMENT PROJECT

Recommended Action - Make a motion to approve the resolution authorizing the application to the Local Share Account program for improvements to the West End Fire Station and the purchase of two police cars.

Pennsylvania State Fire Commissioner Office Grant - The Pennsylvania Office of State Fire Commissioner recently awarded the City \$100,000 under the Training Center Capital Grant Program to pay for improvements to the City fire safety training facility. A resolution is required in order to enter into an agreement to accept the funding.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECUATE A GRANT AGREEMENT WITH THE PENNSYLVANIA OFFICE OF THE STATE FIRE COMMISSIONER UNDER THE 2023 TRAINING CENTER CAPITAL GRANT PROGRAM, IN THE AMOUNT OF \$100,000.00 TO BE USED FOR THE NEW FIRE TRAINING FACILITY

Recommended Action - Make a motion to approve the resolution authorizing an agreement with the Pennsylvania Office of State Fire Commissioner to accept \$100,000 in grant funding from the Training Center Capital Grant Program.

AFSCME Contract - The current agreement with the AFSCME union that covers City bargaining unit employees in the public works, parking, police and fire departments expires at the end of the year. Staff have negotiated in good faith with the AFSCME local representatives to establish a new agreement for the calendar years 2024-27. The AFSCME employees ratified the proposed agreement at a meeting on December 1st. Staff recommends Council approve the new agreement with AFSCME bargaining unit employees.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL NO. 630 FOR THE PERIOD OF JANUARY 1, 2024 THROUGH DECEMBER 31, 2027

Recommended Action - Make a motion to approve the resolution providing for an updated four year agreement with City AFSCME bargaining unit employees.

Purchase of Personal Protective Equipment for Johnstown Fire Department - The Johnstown Fire Department is requesting the purchase of seven sets of personal protective equipment to replace existing sets that have been utilized for their intended lifespans. The equipment is budgeted for in the 2024 capital budget.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO SIGN ALL DOCUMENTS AND TAKE ANY/ALL OTHER ACTIONS NECESSARY IN THE PURCHASE FIREFIGHTER PROTECTIVE CLOTHING FROM KAZA'S FIRE EQUIPMENT

Recommended Action - Make a motion to approve the resolution for the purchase of seven sets of personal protective equipment from Kaza's Fire Equipment for the Johnstown Fire Department.

Health Insurance Broker Agreement - As a part of the 2024 budgeting process, City staff worked to reduce the costs of the City's healthcare insurance. Staff solicited quotes and negotiated healthcare costs for 2024 and beyond. Through this work, the City staff is recommending a change in broker for health insurance and related services from the HUB Group to the Mockenhaupt Benefits Group. This change will save the City over \$200,000 in health care

insurance costs in 2024, while providing equal or better coverage to City employees, and former employees with post retirement healthcare benefits. Savings are also achieved for current employees who contribute 15% of the premium cost.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL NECESSARY ACTIONS TO ENTER INTO AND EXECUTE AN AGREEMENT WITH THE MOCKENHAUPT BENEFITS GROUP FOR HEALTHCARE AND EMPLOYEE BENEFIT SERVICES, TO DESIGNATE MOCKENHAUPT BENEFITS GROUP AS THE CITY'S BROKER OF RECORD FOR ITS HEALTH INSURANCE PLAN

Recommended Action - Make a motion to approve the resolution authorizing the City Manager to enter into an agreement with Mockenhaupt Benefits Group for healthcare and employee benefit services, and to designate Mockenhaupt Benefits Group as the City's broker of record for its health insurance plan.

Subdivision/Lot Merge Approval for Property at 1325 and 1339 Franklin Street - Mom's House Inc. owns two properties along Franklin Street that it wishes to merge together for the purpose of expanding their services on the site. This plan does not approve any expansion of services but allows the joining of the two lots that at some point in the future may facilitate development of the site. Both the Johnstown and Cambria County Planning Commissions reviewed the proposed plan and recommended approval to City Council.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING A MINOR SUBDIVISION/LOT MERGE OF PROPERTIES LOCATED AT 1325 AND 1339 FRANKLIN STREET

Recommended Action - Make a motion to approve the subdivision/lot merge plan for property located at 1325 and 1339 Franklin Street.

NEW BUSINESS:

Board, Authority and Commission Seats - There are several positions up for reappointment that need to take place on various City boards, authorities and commissions. Staff publicly advertised a call for volunteers in October. The responses from interested individuals are contained within the agenda packet. Council is asked to make appointments as follows:

1. Johnstown Planning Commission - The term of Laura Huchel expires January 31, 2024. Ms. Huchel expressed interest in being reappointed.

Recommended Action - Adopt a motion appointing _____ to a new four-year term on the Johnstown Planning Commission, expiring 1/31/2028.

2. Johnstown Redevelopment Authority - The term of Rick Truscello expires January 1, 2024. Mr. Truscello expressed interest in being reappointed.

Recommended Action - Adopt a motion appointing _____ to a four-year term on the Johnstown Redevelopment Authority, expiring 1/1/2028.

3. Johnstown Water Authority - The term of Charles Arnone expires on December 31, 2023. Mr. Arnone expressed interest in being reappointed.

Recommended Action - Adopt a motion appointing _____ to a five-year term on the Johnstown Water Authority, expiring 12/31/2028.

4. Uniform Construction Code Board of Appeals - The term of Jeffrey Wilson expires on December 31, 2023. Mr. Wilson expressed interest in being reappointed.

Recommended Action - Adopt a motion appointing _____ to a new five-year term on the Uniform Construction Code Board of Appeals, expiring 12/31/2028.

5. Loan Review Committee - The terms of Melissa Komar and Ken Szczur expired at the end of 2023. Both Ms. Komar and Mr. Szczur expressed interest in being reappointed.

Recommended Action - Adopt a motion appointing _____ to new three-year terms on the Loan Review Committee, expiring 8/13/2026.

Tax Assessment Appeal Settlements - There are two tax appeal settlements that need to be approved by City Council. The first is for Everything Ice, located at 89 Poplar Street. The fair market value settlement amount agreed to for this property is \$215,000, which is higher than the May 2021 sale price of \$115,000 but lower than the current fair market value of \$282,386.

The second appeal settlement is for Buckeye Community Fifty-Six LP, owner of the Roxbury Apartments located at 1308 Franklin Street. This appeal goes back to 2019, because that is when the property owner first filed for an appeal and an agreement was not determined until 2023. The settlement figures arrived at include \$950,000 for the 2019 tax year and then \$1,000,000 for the 2020-24 tax years.

First Recommended Action (Everything Ice) - Make a Motion to approve settlement of the tax assessment appeal filed to Cambria County Docket Number 2021-3429 pursuant to the terms set forth in the Settlement Stipulation and further to authorize the solicitor to execute the necessary documentation to effectuate the same.

Second Recommended Action (Roxbury Apartments) - Motion to approve settlement of the tax assessment appeal filed to Cambria County Docket Number 2020-3601 at the fair market values of \$950,000 for the 2019 tax year and \$1,000,000 for the 2020, 2021, 2022, 2023, and 2024 tax years and further to authorize the solicitor to execute the necessary documentation to effectuate the same.

OLD BUSINESS:

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 - January 10, 2024 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.