



CITY OF JOHNSTOWN
CITY COUNCIL AGENDA
ANTHONY C. TRUSCELLO
COUNCIL CHAMBERS
WEDNESDAY, AUGUST 11, 2021

City Council

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

PUBLIC HEARING – 5:45 PM

REGULAR MEETING – 6:00 PM

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF MINUTES:

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

PUBLIC COMMENT – AGENDA ITEMS ONLY (Limit 5 minutes)

REPORTS:

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR
 - 1) Home-Rule Charter Amendments – The Ordinance and proposed amendments to the Charter have been submitted to the County Election Board to be placed as referendums on the November ballot.
- d. CITY ENGINEER
- e. COUNCIL UPDATES/ NEIGHBORHOOD LIAISONS

PETITIONS:

ORDINANCES FOR FINAL READ:

1. Zoning Ordinance Amendment – The City worked with the Planning Commission on the update of the Sign Ordinance to accommodate the changing sign industry and increased economic development growth. The size limit on industrial buildings is being increased to better fit on larger buildings. We are adding a section of projected Light Displays as there is a growing interest in using projectors for advertisements. Clarification on sign use in historic districts is also included within this update.

The proposed Ordinance has been recommended by the City's Planning Commission and the Cambria County Planning Commission. A public hearing was conducted earlier this evening.

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BILL NO. 10 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 23, 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; AND ORDINANCE NO. 5314 PASSED JUNE 9, 2021 BY AMENDING ARTICLE VII – SIGNS AMENDING THE TYPES AND SIZES OF SIGNS PERMITTED IN THE VARIOUS ZONING DISTRICTS.

Recommended Action – Grant final approval to Bill No. 10 of 2021 amending the City of Johnstown Zoning Ordinance.

ORDINANCES FOR FIRST READ:

1. Livestock/Fowl Ordinance - This Ordinance is intended to prohibit the raising of livestock and chickens within the City. After being considered last month, Council requested that it be amended to vest enforcement responsibility with an appropriate city department rather than with Council.

BILL NO. 9 OF 2021 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING CHAPTER 614 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN TITLED "ANIMALS" BY PROHIBITING HARBORING OF LIVESTOCK OR FOWLS.

Recommended Action – Grant tentative approval to Bill No. 9 of 2021 prohibiting livestock and fowl.

2. Vacant Structures - This Ordinance is intended to clarify that the current Ordinance regulating vacant structures applies to vacant properties with or without structures.

BILL NO. 11 OF 2021 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING CHAPTER 1480 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN TITLED "VACANT STRUCTURES", ORDINANCE NO. 4810, ADOPTED SEPTEMBER 9, 1998, AND AS AMENDED BY ORDINANCE NO. 4855, PASSED MAY 10, 2000; ORDINANCE NO. 4987, PASSED APRIL 12, 2006; ORDINANCE NO. 5083, PASSED APRIL 27, 2011; ORDINANCE NO. 5190, PASSED DECEMBER 9, 2015; ORDINANCE NO. 5221, PASSED FEBRUARY 8, 2017; AND ORDINANCE NO. 5302, PASSED NOVEMBER 18, 2020 CLARIFYING THE DIFFERENCE BETWEEN "VACANT STRUCTURE" AND "VACANT PROPERTY".

Recommended Action – Grant tentative approval to Bill No. 11 of 2021 amending the Vacant Property Ordinance.

RESOLUTIONS:

1. Vision 2025 – Vision 2025 is seeking financial support from community partners. The City's contribution will help support the administration and operational costs of Vision Together 2025 as our community continues to collaborate on the planning and implementation of key projects and programs within our community.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING A CONTRIBUTION TO VISION TOGETHER 2025

Recommended Action #1 – Adopt a motion to remove the issue from the table.

Recommended Action #2 – Adopt the proposed Resolution authorizing a contribution of \$20,000 to Vision Together 2025.

2. Multimodal Transportation Fund Grant Application - The City has submitted a \$1,950,000 grant request to the PA-DCED Multimodal Transportation Fund for a project involving physical improvements to the City's Main Street East Garage, and engineering and design of the Main Street Greenway Project. Upon a successful grant award, the City would need to provide \$1,200,000 in local match, approximately \$1,000,000 of which would qualify as an eligible expense come from the City's American Rescue Plan funding.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE AN APPLICATION FOR FUNDING ASSISTANCE FROM THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN THE AMOUNT OF \$1,950,252.00 THROUGH THE MULTIMODAL TRANSPORTATION FUND TO BE USED FOR IMPROVEMENTS AT THE MAIN STREET EAST MULTIMODAL GARAGE AND MAIN STREET GREEN STREETS DESIGN AND ENGINEERING, LOCATED IN THE CITY OF JOHNSTOWN.

Recommended Action – Adopt the proposed Resolution authorizing a grant application to DCED for the Main Street East and Main Street Greenway project.

3. HUD CDBG Funding 2021 - The City submits an annual request for funding from HUD as the City is a HUD entitlement community and has access to both HUB CDBG and HOME funding. This Resolution approves the submission of the City's 5-year plan to HUD.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA APPROVING THE FY 2021 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAMS APPLICATIONS

Recommended Action – Adopt the proposed Resolution approving the annual submission of the 5-year plan for HUD CDBG and HOME funding.

4. Amtrak Stormwater Project - Amtrak is in the planning and design stage of a rehabilitation project at the Johnstown train station. In compliance with the City's stormwater management ordinance, Amtrak engineers have been determining the best way to handle stormwater associated with their project. Amtrak has worked with the City and EADS to determine stormwater options. The option agreed upon to best deal with the stormwater from their proposed project is to increase the diameter of the outfall pipe along Walnut Street to the Conemaugh River outfall. Since the City is the owner of the pipe, an agreement is needed so that Amtrak can provide the City the funding to handle the cost of this pipe project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING A REIMBURSEMENT AGREEMENT BETWEEN AMTRAK AND THE CITY FOR COSTS ASSOCIATED WITH STORMWATER IMPROVEMENTS NECESSITATED BY AMTRAK'S PLANNED IMPROVEMENTS TO THE JOHNSTOWN TRAIN STATION

Recommended Action – Adopt the proposed Resolution approving an agreement with Amtrak for reimbursement of costs associated with necessary stormwater modifications.

5. PennDOT Winter Maintenance – The City enters into an agreement each year with PennDOT wherein the City provides the winter maintenance on PennDOT roads within the City.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN A MUNICIPAL WINTER TRAFFIC SERVICES SUPPLEMENTAL AGREEMENT WITH THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR WINTER SERVICES FOR THE 2021-2022 WINTER SEASON EFFECTIVE DATE OF OCTOBER 15, 2021 AND ENDING APRIL 30, 2022.

Recommended Action – Adopt the proposed Resolution authorizing the submission of the annual winter maintenance agreement to PennDOT.

6. Fairfield Avenue Stormwater Project – Council was previously informed of serious deterioration of a stormwater line on Fairfield Avenue that was discovered during the water authority's sewer replacement project. Several measures are underway to undertake repairs. The City Engineer is preparing specifications for the necessary work. The unit cost of all required work is already included in the contract for the sewer replacement project. A change order will be issued by the City to the water authority's contractor for the necessary stormwater repairs. The cost of the project will exceed \$1 million. The arrangements for the work are being done on an emergency basis due to the threat of damage to the new sewer system and to prevent further undermining of the street. The cost to the City for the stormwater repairs will be an eligible expense under the City's American Rescue Plan funding.

The Johnstown Redevelopment Authority has contracted for the street repairs that are necessary subsequent to the sewer project. The proposed Agreement between the City and the Authority provides that the City will cover all increased costs incurred as a result of the stormwater work. The Agreement was developed by the solicitors representing the City, the Redevelopment Authority and the Johnstown Water Authority. Ms. Benjamin will review this matter in greater detail with Council.

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND APPROVING A COOPERATIVE AGREEMENT WITH THE JOHNSTOWN REDEVELOPMENT AUTHORITY FOR PURPOSES OF FINANCING CERTAIN STORMSEWER REPLACEMENT AND REHABILITATION WORK TO BE PERFORMED ALONG FAIRFIELD AVENUE AND FURTHER AUTHORIZING THE INTERIM CITY MANAGER AND ANY OF HIS DESIGNEES TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

Recommended Action – Adopt the proposed Resolution approving a cooperative agreement with the Johnstown Redevelopment Authority for financing associated with stormwater repairs on Fairfield Avenue.

7. Pension CD and Loan – With funds from the sewer system sale, the City purchased a CD in the amount of \$19 million and used the CD as collateral for a loan in the same amount. The loan proceeds were deposited into the employee pension funds. Utilizing this loan process had a significant actuarial advantage on the 2021 Minimum Municipal Obligation (MMO). The Finance Director is recommending that the CD be redeemed and the loan be closed effective September 1st.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR ANY OF HIS DESIGNEES TO SIGN ALL DOCUMENTS AND TAKE ANY/ALL OTHER ACTIONS NECESSARY TO REDEEM THE \$19,000,000 CERTIFICATE OF DEPOSIT THAT WAS COLLATERAL FOR THE \$19,000,000 LOAN FROM FIRST SUMMIT BANK TAKEN TO FUND THE PENSION FUND. THE PROCEEDS OF THE CD WILL BE USED TO PAY OFF THE LOAN. THE REDEMPTION OF THE CD AND CLOSING OF THE LOAN WILL TAKE PLACE ON SEPTEMBER 1, 2021.

Recommended Action – Adopt the proposed Resolution redeeming a CD and closing a loan, both in the amount of \$19 million, at 1st Summit Bank.

NEW BUSINESS:

1. Roxbury Creamery Subdivision – The Cambria County Planning Commission and the Johnstown Planning Commission have both approved a minor subdivision and a subsequent lot merger involving parcels 78-023.205.000 and 78-023.206.000 (114 and 116 Derby Street).

Recommended Action – Adopt a motion granting final approval to a minor subdivision and a subsequent lot merger involving parcels 78-023.205.000 and 78-023.206.000 (114 and 116 Derby Street).

2. Appointment to Johnstown Housing Authority

OLD BUSINESS:

1. Zoning Ordinance Amendment – A proposed Ordinance was tabled last month that intended to address two frequent complaints from city residents. The first is the frequent parking of vehicles in residential yards. The second is the common practice of encircling a vacant parcel with wire cables and other unsightly items. The proposed Ordinance prohibits both. Staff is continuing to consider which parking surfaces might be acceptable. The Ordinance is expected to be submitted to Council in September.

Recommended Action – No action required.

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

1. Judy Cooper, 70 K Street, Johnstown 15906 re: Farmer's Market issue

RECESS/ADJOURNMENT:

NEXT SCHEDULED COUNCIL MEETING – SEPTEMBER 8, 2021 AT 6:00 PM

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.