



**CITY OF JOHNSTOWN**  
**CITY COUNCIL AGENDA**  
**ANTHONY C. TRUSCELLO**  
**COUNCIL CHAMBERS**  
**WEDNESDAY, OCTOBER 13, 2021**

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

REGULAR MEETING – 6:00 PM

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF MINUTES:

1. Regular meeting minutes of September 8, 2021

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

PUBLIC COMMENT – AGENDA ITEMS ONLY (Limit 5 minutes)

REPORTS:

- a. CITY MANAGER
  - 1) 2022 Budget – The 2022 budget will be presented at a special meeting on Wednesday, October 27<sup>th</sup>. A public hearing is scheduled for November 17<sup>th</sup>. Final approval could occur on November 17<sup>th</sup>.
  - 2) Penna UDAG Loan Disclosure – In accordance with the regulations for city loans, the Manager will read into the record a letter disclosing a loan applicant's city employment.
- b. MAYOR
- c. CITY SOLICITOR
- d. CITY ENGINEER
- e. COUNCIL UPDATES/ NEIGHBORHOOD LIAISONS
  1. Planning Commission Minutes of July 7 and September 15, 2021
  2. Civil Service Commission Minutes of August 16, 2021
  3. October 6, 2021 letter from Cambria/Somerset Association of Realtors, Inc.

PETITIONS:

ORDINANCES FOR FINAL READ:

1. Vacant Structures - This Ordinance is intended to clarify that the current Ordinance regulating vacant structures applies to vacant properties with or without structures. The Bill was first considered last month and has been amended to require that vacant parcels need only be registered and fees incurred after an ordinance violation is deemed to exist.

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 final approval to Bill No. 11 of 2021 amending the Vacant Property Ordinance.

ORDINANCES FOR FIRST READ:

1. Zoning Ordinance Amendment – This Ordinance is 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.

The proposed Ordinance has been referred to the City's Planning Commission and the Cambria County Planning Commission for review and recommendations. If approved, a public hearing will be conducted on Wednesday, November 10<sup>th</sup> at 5:45 p.m.

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 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 PROHIBITING PARKING IN CERTAIN RESIDENTIAL YARDS AND EXCLUDING CERTAIN TYPES OF BARRIERS FROM THE DEFINITION OF FENCE.

Recommended Action #1 – Remove Bill No. 8 from the table.

Recommended Action #2 – Grant tentative approval to Bill No. 8 of 2021 amending the City of Johnstown Zoning Ordinance.

2. Ordinance Penalties – Ordinance No. 5283, adopted in January 2020, amended purchasing regulations to allow for credit cards. During subsequent codification Section 202.99 was inadvertently omitted from the Codified Ordinances. Section 202.99 provides for a penalty throughout the Codified Ordinances. This Ordinance corrects that error.

BILL NO. 12 OF 2021 - AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF JOHNSTOWN TO CONFIRM, REINSTATE AND OR RESTORE SECTION 202.99; GENERAL CODE PENALTY, COMPLICITY, EQUITABLE REMEDIES.

Recommended Action - Grant tentative approval to Bill No. 12 of 2021 restoring Section 202.99, relative to penalties, to the Administrative Code.

RESOLUTIONS:

1. Pension Investment Policy – The pension committee is recommending an adjustment to the city’s investment policy as follows. Staff concurs with the recommendation.

|                               | <u>Current Target</u> | <u>Proposed Target</u> |
|-------------------------------|-----------------------|------------------------|
| US Equity                     | 47.5%                 | 47.5%                  |
| Non-US Equity                 | 12.5%                 | 15.0%                  |
| Fixed Income                  | 40.0%                 | 25.0%                  |
| Real Estate Investment Trusts | 0%                    | 12.5%                  |

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA APPROVING THE NEW INVESTMENT POLICY STATEMENT FOR THE CITY OF JOHNSTOWN COMBINED PENSION FUND.

Recommended Action – Adopt the proposed Resolution adopting a revised investment policy statement.

2. Street Sweeper – The Public Works Department sought proposals for a new street sweeper. The model best suited for their needs was selected and is available from US Municipal through the COSTARS joint purchasing.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO SIGN ALL DOCUMENTS NECESSARY TO PURCHASE A JOHNSON/BUCHER CITY CAT 5006 SWEEPER..

Recommended Action – Adopt the proposed Resolution purchasing a street sweeper from US Municipal in the amount of \$223,926.00.

3. American Rescue Funds – This Resolution is intended to make it a matter of record that ARP funds were received and that a portion of the funds were transferred to the General Fund as reimbursement of lost revenue in 2020.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, TO SUMMARIZE THE RECEIPT OF FEDERAL AMERICAN RESCUE FUNDS AND THE TRANSFER OR USE OF ANY OF THESE FUNDS TO DATE

Recommended Action – Adopt the proposed Resolution acknowledging the receipt of American Rescue Funds and a transfer to the General Fund as reimbursement of lost revenue.

4. Fund Transfer – This Resolution is required to authorize a routine transfer of funds from one department to another.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO INITIATE A TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2021 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES, AND MORE SPECIFICALLY BUDGET EXHIBIT (A) ATTACHED HERETO

Recommended Action – Adopt the proposed Resolution authorizing budget transfers between departments.

5. Anti-Skid Contract – This annual Resolution approves the purchase of anti-skid materials for winter road maintenance.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH LIGONIER STONE AND LIME D/B/A DERRY STONE AND LIME, 117 MARCIA STREET LATROBE, PA 15650 TO PROVIDE AND DELIVER TO THE CITY, ANTI-SKID MATERIAL.

Recommended Action – Adopt the proposed Resolution authorizing a contract for the purchase of anti-skid materials.

6. Road Salt Contract – This annual Resolution approves the purchase of road salt for winter road maintenance.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH AMERICAN ROCK SALT DEPARTMENT OF GENERAL SERVICES COSTARS PROGRAM, 5520 NY-63 MT. MORRIS, NY 14510 TO PROVIDE AND DELIVER TO THE CITY ROCK SALT.

Recommended Action – Adopt the proposed Resolution authorizing a contract for the purchase of rock salt.

7. Dale Borough Police Contract – The City in 2016 entered into a 5-year agreement to provide police coverage to Dale Borough. That agreement expired at the end of September 2021. The proposed Resolution extends that agreement for an additional five years.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO TAKE ANY AND ALL ACTIONS NECESSARY TO EXTEND AN INTERGOVERNMENTAL AGREEMENT TO PROVIDE POLICE SERVICES IN DALE BOROUGH EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2026.

Recommended Action – Adopt the proposed Resolution extending the current agreement to provide police services in Dale Borough through September 30, 2026.

NEW BUSINESS:

1. Johnstown Redevelopment Authority Subdivision – The Cambria County Planning Commission and the Johnstown Planning Commission have both approved a minor subdivision and a subsequent lot merger involving parcels 78-001.308.000, 78-001.308.001 and 78-001-307.000 (on Franklin Street at Plummer Alley). The parcels, currently owned by the JRA, are being sold to a single business. No final plans have been developed for the property.

Recommended Action – Adopt a motion granting final approval to a minor subdivision and a subsequent lot merger involving parcels 78-001.308.000, 78-001.308.001 and 78-001-307.000 (on Franklin Street at Plummer Alley).

OLD BUSINESS:

DEPARTMENT REPORTS:

1. Public Works
2. Police Department
3. Fire Department
4. Community Development

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

RECESS/ADJOURNMENT:

NEXT SCHEDULED COUNCIL MEETINGS – October 27, 2021 at 6:00 PM, 2022 Budget Presentation  
November 10, 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.*