

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10116

**A RESOLUTION OF THE CITY OF JOHNSTOWN, COUNTY OF CAMBRIA,
COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF
RESTAURANT LIQUOR LICENSE NO. R-8096 INTO THE CITY OF JOHNSTOWN.**

WHEREAS, Act 141 of 2000 ("the Act") authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in the City of Johnstown, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the inter-municipal transfer of the liquor license prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the municipality.

NOW, THEREFORE, BE IT RESOLVED, that Sheetz, Inc. has requested the approval of the City of Johnstown for the proposed transfer of Pennsylvania restaurant liquor license no. R-8096, from The Pennsylvania Liquor Control Board to Sheetz, Inc. for restaurant facilities within the City of Johnstown to be located at 1000 Broad Street, Johnstown, Cambria County, Pennsylvania, 15906 with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the City of Johnstown has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED that the City of Johnstown approves, by adoption of this Resolution, the proposed inter-municipal transfer of restaurant liquor license no. R-8096 into the City of Johnstown by Sheetz, Inc. and

BE IT FURTHER RESOLVED that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

Duly adopted this 12th day of September, 2018, by the City of Johnstown, Cambria County, Pennsylvania, in lawful session duly assembled.


ADOPTED:

September 12, 2018

By the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Mr. Vitovich, Mr. Williams. (4)


Nays: Rev. King, Mrs. Mock, Mrs. Stanton. (3)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10116** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 10117 OF 2018

A RESOLUTION AUTHORIZING AN APPLICATION TO THE PENNSYLVANIA
MUNICIPAL ASSISTANCE PROGRAM.

WHEREAS, The City of Johnstown, in collaboration with the Cambria County Planning Commission, will be undertaking a project to study housing market conditions and develop a strategy to attract housing investment within the City of Johnstown; and

WHEREAS, The Pennsylvania Department of Community and Economic Development makes available grants-in-aid to such projects through the Municipal Assistance Program.

NOW THEREFORE, BE IT RESOLVED, that the City of Johnstown hereby authorized submission of an application for \$50,000 to the Municipal Assistance Program; and

BE IT FURTHER RESOLVED that the City of Johnstown, through its project partners to Cambria County Planning Commission and Cambria County Alliance for Business and Industry, hereby commits resources in the amount of \$35,000 as match for said project.


ADOPTED:

September 12, 2018

By the following vote:

Yeas: Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Britt. (5)

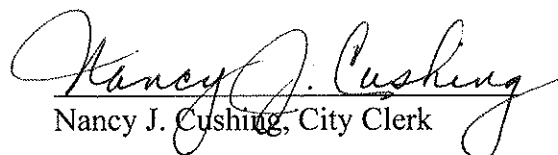
Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10117** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 10118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING CHAD MILLER'S REQUEST TO PURCHASE FOUR YEARS OF MILITARY SERVICE COMPLETED PRIOR TO EMPLOYMENT WITH THE CITY OF JOHNSTOWN TO INCREASE HIS LENGTH OF SERVICE TO THE CITY FOR POLICE PENSION CALCULATIONS.

WHEREAS, Ordinance 4460 of the Administrative Code of the City of Johnstown, passed finally on April 13, 1998, requires City Council's approval of a police officer's request for credit of up to five years of military service, where the member is making contributions to the Police Pension Fund and served in the Armed Forces of the United States after September 1, 1940, and who was not a member of the Police Pension Fund prior to such military service, upon payment to the Pension Fund of an amount equal to that which he or she would have paid had he or she been a member during the period for which he or she desires credit, and upon his or her payment to the Pension Fund of an additional amount as the equivalent of the contribution of the employer on account of such military service; and

WHEREAS, the purchase of prior military service is further authorized by the Pennsylvania Municipal Retirement Law, as amended, 53 P.S. § 881.305; and

WHEREAS, the current collective bargaining agreement between the City of Johnstown and the Fraternal Order of Police further authorizes the purchase of up to a maximum of five years of military service to extend the length of service to the City of Johnstown for purposes of measuring pension benefits, pending payments of necessary pension contributions; and

WHEREAS, Chad Miller has satisfactorily provided documentation in support of his request to purchase four years of military service performed prior to his employment with the City of Johnstown in 2004, and the Pension Board has approved his request; and

WHEREAS, Chad Miller shall make total contributions to the Pension Fund in the amount of \$10,986.27; and

WHEREAS, the City of Johnstown's Administrative Code nonetheless requires City Council's approval of Chad Miller's request for credit of four years of military service.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes and approves Chad Miller's request for credit of four years of military service to increase his length of service to the City for police pension calculations.

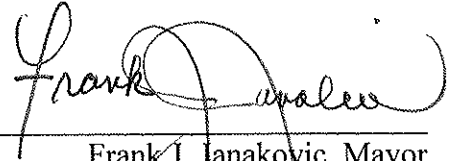
ADOPTED:

September 12, 2018

By the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams, Mr. Britt, Mayor Janakovic, Rev. King. (7)

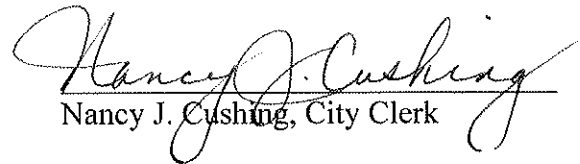
Nays: None (0)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10118 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

**CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 10119**

A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 10085 TO PROVIDE FOR THIS UPDATED RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, SUPPORTING A PETITION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD (BOARD'S) FOR THE PROPERTY KNOWN AS 229 MAIN STREET FOR SUBSTITUTION OF THE CITY OF JOHNSTOWN'S NOISE ORDINANCE FOR SEC. 493 (34) OF THE LIQUOR CODE.

WHEREAS, The property owner of 229 Main Street, Johnstown, PA 15901 also known as Our Son's Main Event desires exemption from the Board's regulations regarding amplified music being heard off of the licensed premises, and;

WHEREAS, As per regulations set forth under section 493.1(b) of the Liquor Code (47 P.S. § 4-493.1(b)), a municipality may file a petition with the Board, requesting approval and said Board regulations for an identifiable area in the municipality, and;

WHEREAS, The City of Johnstown, Department of Community and Economic Development has been working with the property owner of said 229 Main Street in the development and creation of an outdoor music performance and event center, and;

WHEREAS, the municipality identifies the need for said project and is in support of the petition to substitute the municipal noise ordinance (Ordinance No. 3837 passed October 14, 1969) with that of the Board's regulations, and intends to fully enforce said municipal noise regulations in place of the Board's regulations, and;

WHEREAS, the PA Liquor Control Board has requested certain revisions to Resolution No. 10085 which had been previously adopted to this effect; and

WHEREAS, the adoption of this Resolution shall serve to repeal and replace Resolution No. 10085.

NOW THEREFORE, BE IT RESOLVED the City Manager of the City of Johnstown, is authorizing the Department of Community and Economic Development to submit to the Pennsylvania Liquor Control Board a petition for exemption from Sec. 493 (34) of the Liquor Code, and Resolution No. 10085 is hereby repealed and replaced.

ADOPTED:

September 12, 2018

By the following vote:

Yeas: Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Britt. (5)

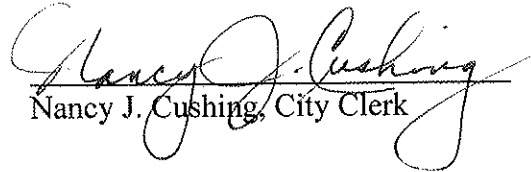
Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the following is a true and correct copy of Resolution No. **10119** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk