

JOHNSTOWN CITY COUNCIL
REGULAR MEETING MINUTES
WEDNESDAY, JUNE 10, 2020

City Council met in a stated session for the general transaction of business. Mayor Janakovic called the meeting to order at 6:05 p.m.

Reverend King offered the invocation. The Pledge of Allegiance was recited.

The following members of Council were present for roll call:

Charles Arnone, Ricky Britt (via telephone), Michael Capriotti, Mayor Frank Janakovic, Reverend Sylvia King, Marie Mock, David Vitovich (7).

John Trant, Jr., Interim City Manager was present.

Present via videoconference were John Dubnansky, Director of Economic Development; Robert Ritter, Finance Director; Jared Campagna, Public Works Director; Chief Robert Statler, City of Johnstown Fire Department; Kathy Pape, McNees, Wallace and Nurick; Steven Goldfield, Senior Counselor at Public Resources Advisory Group and Principal of Municipal Advisor Solutions, LLC; and Bruce Graham, Gibson Thomas Engineering.

Present via telephone were Brandon Palmer, EADS Group; and Elizabeth Benjamin, City Solicitor.

Mayor Janakovic noted two Executive Sessions were held prior to the commencement of this meeting with regard to personnel and litigation in regard to Civil Action 2017-461

APPROVAL OF MINUTES

None.

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

City Fire Chief Robert Statler noted he would hold off on presenting fire safety awards until a future in-person meeting so a proper presentation could be made.

Mayor Janakovic proclaimed June as Men's Health Month.

PUBLIC COMMENT - AGENDA ITEMS ONLY:

Mr. Trant explained that all public speakers would be called alphabetically.

John DeBartola, 1197 Bedford Street, Johnstown, addressed concerns regarding ABD Construction being on the agenda for a new contract. He noted a court date on

June 30 against the City's Ethics Board for failure to investigate this contract and asked that Council vote against this until the matter was fully investigated.

He noted Council was going to hire a City employee part time and, in November, a workshop was offered to explain the \$100,000 in savings. He inquired what happened and when would the matter be addressed.

Mr. DeBartola requested the City to reconsider an extension of the City's declaration of emergency also on the agenda. He noted many Council members marched in the Black Lives Matter protest but were not issuing a proclamation for gay pride month in June and a majority of Council voted for nondiscrimination.

With regard to the sewer sale, he stated by the GJWA adding services outside of its charter by majority vote would set a precedent for other municipal authorities in Pennsylvania and asked Council to consider the impact of this. He stated there would be nothing to stop the GJWA from taking over garbage, electric, cable or "whatever they want" and Council would be opening a Pandora's Box of headaches and legal challenges. Mr. DeBartola suggested the implementation of a new sewage authority that would require input from all 28 areas.

REPORTS:

CITY MANAGER:

John Trant, Jr., Interim City Manager, reminded Council on the adoption of the blight ordinance and plan a few months ago. Mr. Dubnansky was moving forward with that plan. He noted that part of the plan recommended the creation of a blight committee and would like to have a Council member appointed to that committee through a motion tonight.

Mr. Trant indicated the operations at City Hall and the Public Safety Building continue on a by-appointment basis with guidance from the Commonwealth and the CDC with respect to COVID.

MAYOR:

Mayor Frank Janakovic noted his attendance at the recent Unity Rally in Central Park and the Central Park Complex. He noted all Council members were in attendance.

He noted his attendance at the recent NAACP community event in Central Park.

The Mayor thanked Chief Johnson and the City Police, Fire and Public Works for their assistance with regard to the Black Lives Matter protest. Chief Johnson commented the City received assistance from the Sheriff's Office, County EMA, AG, community stakeholders, including Reverend King, Deacon Wilson, City residents who came to express their concerns and other people behind the scenes.

Mrs. Mock stated residents had commented how interactive the officers were with everyone who attended. Chief Johnson noted he had received a lot of positive feedback.

Mr. Arnone thanked Jared and the Public Works staff for an outstanding job and noted the coordination of efforts worked well and "made the City look wonderful".

Mayor Janakovic commented Public Works and Codes were working together to clear out the hundreds of tires that were left behind at the Tire Clinic on Cooper Avenue. He noted also receiving positive feedback from residents concerning that matter.

The Mayor stated parks, playgrounds, tennis, volleyball, and baseball fields were reopened last Friday. He reminded everyone to do social distancing and wear masks.

Interim City Manager noted Mr. Campagna had done a great job communicating with the baseball leagues, which will soon begin using the facilities on a modified schedule.

Mr. Janakovic and Mr. Trant met recently with DCED and Deputy Secretary Vilello to discuss funding, COVID and other related City matters. Mr. Trant noted discussion regarding Act 47 deadlines and changes as a result of the pandemic. CARES Act monies that the County received would be divided up among cities throughout the county.

The Mayor noted his attendance at a virtual Vision 2025 meeting and stated the group was very supportive of the sale of the City's sewage system and where the funds would be directed.

CITY SOLICITOR

Elizabeth Benjamin, Esquire, City Solicitor, reiterated that both Executive Sessions were held prior to the meeting with regard to personnel and litigation as noted by the Mayor. She indicated an amendment to Bill No. 13 of 2020 would be addressed later on in the agenda.

CITY ENGINEER

Brandon Palmer, EADS Group, referred Council members to the engineering report for review.

He noted work continues with regard to the final PennVEST closeout with DEP for the Cambria City, Coopersdale, Minersville, Horner Street, Eighth Ward, and Moxham Phase II projects.

Contracts for the Kernville project came well under budget so his group was working on awarding change orders for above Menoher Boulevard and South Street as well as lateral work on Franklin Street near Valley Pike.

Mr. Palmer noted A. Liberoni was nearly 15 percent complete with pipe installation in the Old Conemaugh Borough section.

He indicated that pipe installation with regard to the Fairfield Avenue project was nearly 15 percent complete and restoration work was being completed on the side streets which will become detours when work commences on D Street and Fairfield Avenue.

The PennVEST application was submitted for the Central Business District with funding hopefully to be awarded sometime in July. Final design plans have commenced.

Mr. Palmer noted A. Liberoni has a little more work to do around Locust Street before completing the downtown sidewalk project.

COUNCIL UPDATES/NEIGHBORHOOD LIAISONS

Mrs. Mock reported the West End Improvement Group has placed the flower boxes about and the community gardens are being planted.

Donations from the garden club were used to purchase garbage cans which will be placed along Fairfield Avenue, Strayer Street and Laurel Avenue.

Mrs. Mock discussed a report sent by the Roxbury Civic Group regarding identification of blighted properties sent into City Codes for review. Repairs of the Roxbury basketball court were completed in coordination with the 1st Summit Bank, Bantly Hardware and Public Works employees. She indicated the group cleaned up garbage along Franklin Street, will be painting the benches and planting flowers at the park. Mrs. Mock noted the group referred to themselves

as the "guardians of the park". She noted power washing was being done at the playground and a late summer garage sale fundraiser will be held.

Mrs. Mock commended Joe and Jared for getting the basketball court repaired and painted.

Mr. Capriotti commended all department heads and employees for work done over the past week to prepare for an event that took place the past weekend.

Mr. Capriotti noted he had been in contact with Sandy Alwine from the Moxham Food Bank which was in search of a new facility for the food bank. He will provide that information as soon as it is received.

Mr. Arnone reported that since Cambria County has moved into the green phase, the Housing Authority was slowly initiating some of the services previously halted but that a majority of the business was still being conducted by phone, email, fax or mail. He noted the offices hours were Monday through Thursday and closed Friday.

Mr. Arnone indicated that effective June 8, 2020, contractors will resume all outside construction work. Hand sanitizers and masks were purchased for all public housing residents. Mr. Arnone stated the health and well-being of the staff, residents and community are of the utmost priority to the JHA.

Mr. Vitovich reported that Public Works has been patching potholes using hot asphalt, running the street sweeper Monday through Friday, cutting grass on all City-owned properties. He commended Public Works and City employees for a great job cleaning up the Tire Clinic on Cooper Avenue.

Reverend King reported that the Moxham Food Pantry found a new location at the Moxham Church of the Brethren on Grove Avenue. She noted Christ Centered Community Church has opened an emergency food pantry at the top of the Prospect Bridge.

She noted five or six houses had recently been demolished along Menoher Boulevard. She commended all the effort put forth into the matter and commented that now it seems "we're back on track".

Reverend King stated a pavilion would be installed at the Prospect Playground.

She stated a new taco business has opened up at 416 Main Street.

Mrs. Mock commented she was very proud of the City and how it's moving forward in spite of COVID.

Reverend King commended the Chief, Police Advisory Board and members of legislation for being very open about what the next steps were going forward and "everyone who said they were going to do something has kept their word".

Mayor Janakovic noted an Eagle Scout will be recognized once the project he has been working on was completed. It will be on the agenda for July or August.

The Mayor suggested that a monthly report from JRA be obtained regarding blight and demolition projects. He will contact the Executive Director regarding the matter.

Mr. Britt commended Chief Johnson, City police, Public Works and workers regarding the rally held recently.

1. Planning Commission Minutes of May 6, 2020 for review.
2. Sewer sale update and responses to questions.

Interim City Manager Trant indicated that a summary of the asset purchase agreement has been posted to the City's website and as of a few days ago, the full agreement has been posted and available for review. He noted the sewer team was available via videoconference to respond to the following questions that were presented:

1. The City and the coordinator under the Act 47 program have evidently determined that the sewer collection system was the most valuable asset the City has at this time. Why would the City sell its most valuable asset?

Deborah Grass, Act 47 coordinator, responded by stating, although technically that was true, the decision was made under a really long and detailed due diligence which included discussion of the sale of all potential City assets, including the golf course. She indicated that a detailed evaluation report had been completed by outside experts and those expert opinions were relied heavily upon regarding asset values and whether or not there were buyers for those assets.

She explained further that while the sewer system has been identified as a valuable revenue asset, the City was not permitted to use any of that revenue for general operations but must be used only for operations and management of the sanitary sewer system. The City does not receive any benefit from this asset for its general fund operations but only for reimbursement for costs related to maintaining the sewer system or approximately \$400,000 per year.

Ms. Grass indicated, by selling the sewer system to the Greater Johnstown Water Authority, per the Act 47 Exit Plan, it is required to use proceeds from that sale which is approximately \$24 million to pay down pension obligations. That by reducing the City's pension liability would result in assets in the general fund revenue that would be available for essential government community services and general operations.

Mayor Janakovic commented that prior to the early 2000s that money could be used for the general fund but that legislation was passed that prohibited that. Ms. Grass stated there was a time that the City had more flexibility on how to use that revenue but at this point the money has to be dedicated for sanitary sewer purposes.

2. There is a three-year freeze on the collection rates in the asset purchase agreement. What will happen to the rates after the freeze expires?

Steven Goldfield, Senior Counselor at Public Resources Advisory Group and Principal of Municipal Advisor Solutions, LLC, noted questions and answers are posted on the City's website for review.

He indicated the answer to this question was dependent upon whether City property owners pressure their laterals and remediate where necessary and whether at the end of the next couple years the City is able to comply with the DEP Consent Order.

Mr. Goldfield noted the cost for compliance would put some pressure on the increase in rates. If compliance can be achieved through property owner compliance and the amount of money earmarked for completion of the project, then the GJWA has represented that they're going to try to keep these rates at \$55 or as low as they can for as long as possible or the DEP could fine up to \$10,000 per month for noncompliance which would put pressure on rates.

Mr. Goldfield stated it was in the best interest of the GJWA to keep rates as low as possible, that the sewer, water and sewer treatment rates are paid for by the same people and higher rates would become more difficult for residents, which can increase collections. He noted the GJWA rates are low right now, and it will try to keep both water and sewer rates below state average but would not be able to do that if compliance is not met.

3. Is the Greater Johnstown Water Authority authorized under Pennsylvania law to amend its Articles of Incorporation also commonly referred to as its Charter to expand its purposes to acquiring and operating sanitary sewer facilities?

Kathy Pape, McNees, Wallace and Nurick, noted the short answer is yes, it is authorized. She indicated that support for that answer can be found at Section 5605 of the Municipal Authorities Act which provides that a municipal authority may amend its Articles of Incorporation to change, to add to or to diminish its powers or purposes or to set forth different or additional powers or purposes after adoption of a resolution by the Board of the authority and adoption of the proposed amendment by the governing bodies of the municipalities that compose the authority. She explained that additionally, Section 5607 of the Act provides that one of the authorized purposes of a Pennsylvania Municipal Authority is to acquire, hold, construct, finance, improve, maintain and operate sewer or sewer systems.

Mr. Goldfield provided an overview of the status of the sewer deal going forward as follows: He noted negotiations were completed on June 1, 2020, and an asset purchase agreement was before Council. A summary of changes was sent to Council and asset purchase agreement would be posted on the website tomorrow.

A second public hearing would be held at the Greater Johnstown High School in person. The GJWA will wait for a vote on the 23rd of June after a second reading of the ordinance, with the first reading scheduled for this evening. It will then be ready for the bond market which is where the \$24 million purchase price would be generated. This can occur within about ten days of printing of a preliminary official statement which would be sent to potential investors. Once the sale occurs, they would be locked into having the \$24 million. That if for any reason they can't access the bond market or access it at a time when they can generate \$24 million, they have an "out", meaning they can get out of the asset purchase agreement.

Once the asset purchase agreement was approved, the bonds are sold, and a sales agreement drafted, a 45-day period to do all the documentation necessary would follow. Mr. Goldfield referred Council members to the late August date in the agreement designated as the expected closing date.

Mr. Trant noted back in March of 2020 Council conducted a series of workshops to discuss the sewer deal and sources and uses of the funds. He indicated a workshop would possibly be held in July to outline specific details with regard to uses of the funds.

Mayor Janakovic said initial discussions began back in 2018 with regard to the matter.

3. City of Johnstown Code Enforcement Options.

Mr. Trant indicated that John Dubnansky, Director of Economic Development requested a meeting with Council regarding discussion of these code enforcement options. It was noted the meeting was tentatively scheduled for next Monday at 5:00 p.m. Council members were referred to their packets for review of an outline from Mr. Dubnansky exploring code enforcement options going forward.

Mr. Dubnansky referred to his outline for further discussion of the code violation ticketing process, including the resolution on the agenda regarding a contract for services with ABD Construction, the possibility of the JHA as an option as well as other possibilities concerning the ticketing process. He suggested looking at the City's staff, with the possibility of hiring four additional seasonal staff, to help code enforcement. Mr. Dubnansky commented that a contract with ABD Construction "would not get us where we want to be" in terms of code enforcement.

In response to an inquiry by Mrs. Mock, Mr. Dubnansky noted the \$50,000 a year code enforcement job includes \$35,000 in salary and \$15,000 in benefits.

4. Pandemic financial impacts.

Robert Ritter, Finance Director, referred to a revised list of updated real estate revenue and additional information included in Council's packet for further discussion.

Mr. Ritter indicated that for the month of May the City's revenue was down approximately \$400,000 with parking and amusement taxes being the hardest hits. He also noted being down approximately \$1 million in real estate tax payments compared to last year at this time and cash wise for the year down approximately \$300,000. Mr. Ritter commented that hopefully some of the real estate tax revenue not received by the end of May will be coming in soon.

With regard to the tax anticipatory note, Mr. Ritter stated 1st Summit Bank would work with the City in the event it had to draw on that note by moving monies the City can't pay onto a new note for 2021 at possibly a lower interest rate.

Ms. Grass would send information to Council comparing April to April and May to May. She indicated that some of the major revenue sources were beginning to trend downward but noted expenses were also down approximately 4.8 percent. Ms. Grass noted by the end of June into July a lot of second quarter information would be provided which would give a better picture of the financial situation.

PETITIONS

None.

ORDINANCES FOR FINAL READ:

BILL NO. 7 OF 2020, AN ORDINANCE AUTHORIZING EXEMPTIONS, DEDUCTIONS, ABATEMENTS AND CREDITS FOR REAL PROPERTY, EARNED INCOME TAX, NET PROFITS, MERCANTILE AND BUSINESS PRIVILEGE TAXES WITHIN SPECIFIC GEOGRAPHIC AREAS IN THE CITY OF JOHNSTOWN DESIGNATED AS PROPOSED KEYSTONE OPPORTUNITY ZONES (KOZ) IN ORDER TO FOSTER ECONOMIC OPPORTUNITIES, STIMULATE INDUSTRIAL, COMMERCIAL AND RESIDENTIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURE DETERIORATION WITHIN AREAS OF CAMBRIA COUNTY, CITY OF JOHNSTOWN, AND GREATER JOHNSTOWN SCHOOL DISTRICT JURISDICTION, COMMONWEALTH OF PENNSYLVANIA, UPON CERTAIN TERMS AND CONDITIONS (Tabled May 13, 2020.)

Mr. Vitovich made a motion to remove from table. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Arnone (7).

Nays: None (0).

Mr. Trant stated the matter was tabled previously pending answers to some of Council's questions, more information from the hospital, and also it was recommended that Mr. Dubnansky take a look at other locations in the City. Mr. Trant stated moving forward, a broader ordinance would be provided.

Mrs. Mock made a motion to deny. The motion was seconded by Mr. Arnone and passed by the following vote:

Yeas: None (0).

Nays: Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (7).

BILL NO. 8 OF 2020, AN ORDINANCE REPEALING AND REPLACING IN FULL, PART TEN, TITLE TWO, CHAPTER 1024 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN, REGULATING EXCAVATIONS IN THE PUBLIC RIGHTS OF WAY, INCLUDING ORDINANCE NO. 4227 PASSED FINALLY FEBRUARY 25, 1981;

ORDINANCE NO. 4308 PASSED FINALLY OCTOBER 26, 1983;
ORDINANCE NO. 4671 PASSED FINALLY JULY 13, 1994; ORDINANCE
NO. 4699 PASSED FINALLY DECEMBER 21, 1994 AND ORDINANCE NO.
5131 PASSED FINALLY JULY 2, 2013.

Mrs. Mock made a motion to approve. The motion was seconded by Mr. Arnone.

Mr. Trant explained the next three ordinances for final read, Bill Nos. 8, 9 and 10 are that package of sewer ordinances to add to and update the sewer regulations consistent with the proposed sewer sale.

Ms. Pape explained that Bill No. 8 is a comprehensive rewrite of the excavation ordinance to require a permit and to include requirements to get a permit including a road traffic study and we maintain the backfill requirements that were included in the existing ordinance. It makes clear who has to get a permit and what has to be done to get a permit.

The motion passed passed by the following vote:

Yeas: Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich, Mr. Arnone, Mr. Britt (7).

Nays: None (0).

**BILL NO. 9 OF 2020, AN ORDINANCE SPECIFICALLY AMENDING
ORDINANCE NO. 5126 PASSED FINALLY MARCH 27, 2013 AND
ORDINANCE NO. 5164 PASSED FINALLY JANUARY 14, 2015 TO
AUTHORIZE THE ENFORCEMENT AND REGULATION OF THE
REQUIREMENT TO CONNECT TO THE SANITARY SEWER SYSTEM BY
THE OWNER OF THE SANITARY SEWER SYSTEM AND FURTHER TO
PROVIDE FOR ENFORCEMENT THROUGH AN INJUNCTION AND
ESTABLISHING A FINE FOR FAILURE TO COMPLY.**

Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Arnone.

Mrs. Mock stated to clear up some confusion, this was not placing a penalty on the homeowner for not getting their lateral in place, but was pertaining to businesses that need to get hooked up into the main sewer line.

Ms. Pape explained this was a mandatory connection ordinance that requires if a property abuts on a street that has a sewer line in the street, there must be a connection made to the sewer so it was not "wildcat sewer" but a connection to the system. She indicated this ordinance was completely separate from the pressure testing ordinance.

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The motion passed passed by the following vote:

Yeas: Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich, Mr. Arnone, Mr. Britt (7).

Nays: None (0).

BILL NO. 10 OF 2020, AN ORDINANCE SPECIFICALLY AMENDING ORDINANCE NO. 4970 PASSED FINALLY DECEMBER 12, 2005 AND KNOWN AS THE "INTERNATIONAL PLUMBING CODE" TO REVISE AND FURTHER ESTABLISH SPECIFIC PROVISIONS IN LINE WITH THE INTERNATIONAL PLUMBING CODE UPDATES AS ADDRESSED IN THE 2015 MODIFIED INTERNATIONAL PLUMBING CODE TO SPECIFY AND ENHANCE CODE ENFORCEMENT PERTAINING TO PLUMBING VIOLATIONS, AND TO CLARIFY CERTAIN ADDITIONAL EXCEPTIONS TO SPECIFIED PROVISIONS OF THE PLUMBING CODE AS APPLIED WITHIN THE CITY OF JOHNSTOWN.

Mr. Arnone made a motion to approve. The motion was seconded by Mr. Vitovich.

Bruce Graham, Gibson Thomas Engineering, explained this ordinance provides an exception to the International Plumbing Code and allows the business or homeowner to use alternate methods, including slip lining, pipe bursting and other similar technologies, in some cases, a more cost-effective means or lower connection cost to do the work.

The motion passed passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich, Mr.
Arnone, Mr. Britt, Mr. Capriotti (7).

Nays: None (0).

ORDINANCES FOR FIRST READ:

BILL NO. 11 OF 2020, AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE GREATER JOHNSTOWN WATER AUTHORITY ARTICLES OF INCORPORATION TO INCLUDE OWNERSHIP AND OPERATION OF SANITARY SEWER FACILITIES AND TO EXTEND THE TERM OF EXISTENCE OF THE AUTHORITY TO A DATE FIFTY (50) YEARS FROM THE DATE OF APPROVAL BY THE SECRETARY OF THE COMMONWEALTH.

Mr. Arnone made a motion to approve. The motion was seconded by Mr. Vitovich and passed by the following motion:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Britt,
Mr. Capriotti, Mayor Janakovic (7).
Nays: None (0).

BILL NO. 12 OF 2020, AN ORDINANCE OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, (THE CITY) AUTHORIZING AND APPROVING THE SALE OF THE CITY SANITARY SEWER COLLECTION SYSTEM TO THE GREATER JOHNSTOWN WATER AUTHORITY (THE AUTHORITY); AUTHORIZING AND APPROVING THE ASSET PURCHASE AGREEMENT BETWEEN THE CITY AND THE AUTHORITY; AUTHORIZING AND APPROVING THE ASSIGNMENT OF PENNVEST LOANS AND DEP CONSENT ORDER BY THE CITY TO THE AUTHORITY; AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY OF THE ASSET PURCHASE AGREEMENT; AUTHORIZING AND DIRECTING THE PROPER OFFICERS OF THE CITY TO DO ALL THINGS NECESSARY TO CARRY OUT THE ORDINANCE AND THE SALE OF THE CITY SANITARY SEWER COLLECTION SYSTEM TO THE AUTHORITY AND THE ASSIGNMENT AND ASSUMPTION OF THE PENNVEST LOANS BY THE CITY TO THE AUTHORITY; AUTHORIZING INCIDENTAL ACTIONS; RESCINDING INCONSISTENT ORDINANCES AND RESOLUTIONS; RECOGNIZING SEVERABILITY; AND STATING THE EFFECTIVE DATE.

Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Arnone.

Ms. Benjamin explained this was the ordinance authorizing and approving the sale of the City's sewer collection system and the asset purchase agreement that has been authorized to facilitate that sale. She emphasized this was only a first read and not final approval of the sewer sale or the asset purchase agreement but a way for Council to identify the way they would be pursuing the sewer sale and getting it publicized for the public to review. She indicated that Mr. Trant has already posted it on the City's website and interested parties can submit inquires to the email address provided on the site.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Britt,
Mr. Capriotti, Mayor Janakovic, Reverend King (7).
Nays: None (0).

BILL NO. 13 OF 2020, AN ORDINANCE AMENDING ORDINANCE 5280 PASSED FINALLY ON DECEMBER 23, 2019 CITY OF JOHNSTOWN BUDGET TO AMEND THE 2020 BUDGET TO REFLECT ADDITIONAL GRANT REVENUE RECEIVED AND RELATED EXPENDITURES WITHIN LINE ITEMS OF THE STATE GRANT FUND FOR DOJ COVID-19 GRANT; THE CDBG FUND FOR "CARES ACT" FUNDING; THE CAPITAL FUND FOR RENOVATIONS TO 216 CLINTON STREET, FEMA AND PEMA COVID-19 RELIEF AND PURCHASE OF A CHILLER FOR CITY HALL; AND TO ADJUST LINE ITEMS IN THE UDAG FUND TO ALLOCATE AN INCREASE IN EMERGENCY DEMOLITION FUNDS, FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING.

Mr. Capriotti made a motion to approve. The motion was seconded by Mr. Arnone.

Ms. Benjamin explained that following the distribution of Bill No. 13 to Council the Finance Director identified an additional exhibit to be added to the bill to reflect an amendment. She noted the exhibit needs to be attached and there needs to be adjustment to the language.

Ms. Benjamin read the amendment into the record as follows:

AMENDED BILL NO. 13 OF 2020 TO ADD AND INCORPORATE REFERENCE TO EXHIBIT A AND THE AMENDMENT TO THE BUDGET CONTAINED THEREIN AS AN ADDITIONAL ATTACHMENT TO THE BILL AND TO FURTHER ADJUST THE TITLE OF THE BILL TO REFLECT TRANSFER FROM GENERAL FUND TO THE CAPITAL FUND AS REFLECTED ON THE PROPOSED AMENDED BILL DISTRIBUTED TO COUNCIL IN ADVANCE OF THE MEETING.

Mrs. Mock made a motion to approve the amendment. The motion was seconded by Reverend King.

Yeas: Mr. Vitovich, Mr. Arnone, Mr. Britt, Mr. Capriotti,
Mayor Janakovic, Reverend King, Mrs. Mock (7).

Nays: None (0).

Mrs. Mock made a motion to approve as amended. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Arnone, Mr. Britt, Mr. Capriotti,
Mayor Janakovic, Reverend King, Mrs. Mock (7).

Nays: None (0).

RESOLUTIONS:

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH ABD CONSTRUCTION SERVICES, LLC. ON A MONTH TO MONTH BASIS FOR SERVICES OF A THIRD-PARTY BUILDING CODE AND PROPERTY MAINTENANCE OFFICIAL AT RATE OF \$625.00 PER WEEK SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY SOLICITOR (Tabled May 13, 2020.)

Mr. Capriotti made a motion to remove from table. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (7).

Nays: None (0).

There was no motion or second to vote on the resolution which failed by the following vote:

Yeas: None (0).

Nays: Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (7).

Resolution No. 10302

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, RATIFYING THE DECLARATION OF DISASTER EMERGENCY EXECUTED BY THE MAYOR AND CITY MANAGER ON FRIDAY, MARCH 20, 2020, AND AUTHORIZING A CONTINUANCE AND RENEWAL OF THE DECLARATION OF DISASTER EMERGENCY CONSISTENT WITH THE EXTENSION OF THE PROCLAMATION OF DISASTER EMERGENCY BY THE PENNSYLVANIA GOVERNOR.

Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Arnone.

Mr. Trant explained this emergency declaration continues the emergency declaration that was put in place in March by the Mayor, myself and ratified by Council

consistent with the Commonwealth's extension of their emergency declaration, ensuring our ability to continue to operate under the COVID-19 pandemic and also ensure our eligibility for any funding for reimbursement of pandemic-related costs that the City has and will continue to incur.

Ms. Benjamin explained the declaration authorizes the City to declare an emergency disaster or when the Governor declares an emergency disaster. There is authorization in the Emergency Management Services Code that permits the relevant political subdivision to forego certain time-consuming requirements and how they are treated, requirements that would otherwise hinder efforts to address the emergency. She stated this can include contract procurement processes, the hiring of temporary workers, and other efforts that the City may need to undertake. And it doesn't alter the orders issued by the Department of Health or otherwise affect guidance issues by the Governor but it provides continuing authorization for the City to forego those more formal requirements. That in an effort to maintain consistency extended by the Governor, the City has requested to have their declaration extended as well.

The motion passed by the following vote:

Yeas: Mr. Britt, Mr. Capriotti, Mayor Janakovic, Reverend King,
Mrs. Mock, Mr. Vitovich, Mr. Arnone (7).
Nays: None (0).

Resolution No. 10303

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY
MANAGER AND/OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT
WITH THE CAMBRIA COUNTY COMMISSIONERS' OFFICE FOR THE
PROVISION OF GEOGRAPHIC INFORMATION SERVICES AND
RELATED DATA.

Mr. Arnone made a motion to approve. The motion was seconded by Mr. Mock.

Mr. Arnone inquired about what this could cost annually. It was estimated to be between \$5,000 and \$10,000 and this year the City's comprehensive plan would be updated and the County was really the only option as they are the suppliers of the data that was being utilized.

The motion passed by the following vote:

Yeas: Mr. Capriotti, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich, Mr. Arnone, Mr. Britt (7).
Nays: None (0).

Resolution No. 10304

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND
DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO
SOLICIT PROPOSALS FOR ENGINEERING SERVICES FOR THE
DEVELOPMENT OF ON-STREET BICYCLE-PEDESTRIAN SECTIONS OF
THE PATH OF THE FLOOD TRAIL TO CONNECT AND COORDINATE
WITH THE SEPTEMBER 11TH NATIONAL MEMORIAL TRAIL WITHIN
SPECIFIED SECTIONS OF THE CITY OF JOHNSTOWN.

Mr. Arnone made a motion to approve. The motion was seconded by Mr. Vitovich
and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich, Mr.
Arnone, Mr. Britt, Mr. Capriotti (7).
Nays: None (0)

NEW BUSINESS:

None.

OLD BUSINESS:

Nominations for Blight Reduction Committee

Mrs. Mock made a motion to nominate Reverend King which was seconded by Mr.
Vitovich. Reverend King accepted the nomination.

MOTIONS

None.

PUBLIC COMMENT-NONAGENDA ITEMS

John DeBartola, 1197 Bedford Street, Johnstown, thanked Mr. Arnone for the
Johnstown Housing Authority update. He noted audio for the meeting was
mumbled and requested that be fixed for the next meeting.

Mr. DeBartola thanked Council for voting no on the Resolution regarding ABD Construction. He noted for the record his disappointment with regard to the search for a City Manager and requested that Council address this matter.

He discussed his appeal which he stated was ruled in his favor. Mr. DeBartola was curious to learn who owns Fichtner Field next to the former Garfield Junior High School/Johnstown Middle School in the West End and suggested that if it is City-owned, that it should be sold to help reduce debt. He asked Mr. Vitovich to look into the matter.

There being no further business, the meeting was adjourned at 7:47 p.m.

A public hearing is scheduled for June 23, 2020 at 6:00 at the Greater Johnstown High School Auditorium, followed by a special meeting of Council.

The next regular meeting is scheduled for July 8, 2020.