

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9983

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING THE DESIGNATION OF THE DIRECTOR OF THE CITY'S DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT RENEE DALY TO SERVE AS ACTING CITY MANAGER IN ANY/ALL INSTANCES OF ABSENCE OF THE CURRENT CITY MANAGER THAT MAY ARISE, EFFECTIVE IMMEDIATELY AND CONTINUING THROUGH DECEMBER 31, 2017.

WHEREAS, the City of Johnstown Home Rule Charter and Administrative Code provide that any time the City Manager is unable to perform the duties of that office, whether because of absence or disability, he or she may delegate such authority to another municipal employee, subject to prior approval by Council; and

WHEREAS, the City Manager recommends, and wishes to seek Council's approval of the designation of the City's Director of the Department of Community and Economic Development, Renee Daly, to serve as Acting City Manager in any such instances of absence or inability to perform the duties of his office; and

WHEREAS, the City Manager wishes to retain the Council's prior approval in order to allow for the service of Acting City Manager to occur at any such time when an anticipated or unanticipated absence of the City Manager may arise;


NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City of Johnstown hereby approves the designation of the Director of the Department of Community and Economic Development, Renee Daly, to serve as Acting City Manager in the current City Manager's absence, effective, upon adoption of this Resolution, and continuing through December 31, 2017, as needed, and further providing that Ms. Daly shall receive per diem pay for each day on which she serves as Acting City Manager, with said pay to be issued out of the City's General Fund and based on the salary of the current City Manager.

ADOPTED:

September 13, 2017

By the following Vote:

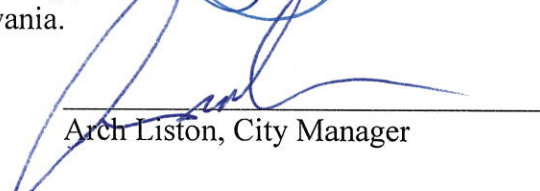
Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza,
Mr. Williams. (7)
Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9983 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ANY/ALL ACTIONS NECESSARY TO AMEND CONTRACT NO. C000062297 WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT REGARDING ANCHOR BUILDING FUNDING IN THE AMOUNT OF \$247,000 FROM KEYSTONE COMMUNITIES PROGRAM GRANT FUNDING, IN ORDER TO UTILIZE SAID FUNDING FOR THE CREATOR SQUARE PROJECT.

WHEREAS, the Department of Community and Economic Development (DCED) of the Commonwealth of Pennsylvania has Keystone Communities Program Grant funding available for communities in Pennsylvania; and

WHEREAS, the City of Johnstown previously received \$247,000 in Anchor Building funds dedicated to the Conrad Building renovations; and

WHEREAS, the Conrad Building project has been terminated; and

WHEREAS, the City of Johnstown's Anchor Building funding expires June 30, 2018; and

WHEREAS, the City is permitted to seek amendment to the Agreement entered with the PA DCED for purposes of identifying another qualifying use for the funds within the City; and

WHEREAS, the Creator Square project is a pre-existing project that intends to provide makerspace and arts/design showcase space, along with artisan residency and qualifies for use and/or receipt of the PA DCED Anchor Building Funding; and

WHEREAS, the City of Johnstown published an article in the Tribune Democrat requesting that any additional projects that may qualify be for said funding be submitted to the City of Johnstown Department of Community and Economic Development for consideration; and

WHEREAS, the City received no submissions of additional projects that met the minimum requirements for the PA DCED Anchor Building funding; and

WHEREAS, the City Administration consequently has selected and recommended Creator Square to be identified as the alternate project for which the Anchor Building funding can be directed; and

WHEREAS, the City must submit a request for amendment to its PA DCED Contract No C000062297 in order to redirect the funds to the Creator Square project as described.

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized and directed to take any/all actions necessary to amend Contract No. C000062297 with PA DCED regarding Keystone Communities Program Anchor Building funding in the amount of \$247,000 in order to utilize said funding for the Creator Square Project.

ADOPTED:

September 13, 2017

By the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic. (5)

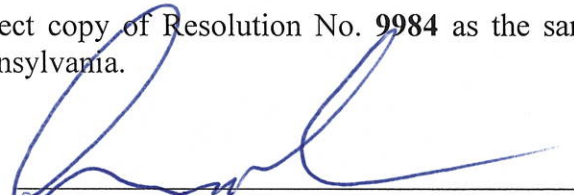
Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9984** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9986

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A WINTER TRAFFIC SERVICES AGREEMENT WITH THE COMMONWEALTH OF PENNSYLVANIA THROUGH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR THE WINTER SEASONS OF 2017-2018; 2018-2019; 2019-2020; 2020-2021; AND 2021-2022.

WHEREAS, the Commonwealth of Pennsylvania has control and maintenance responsibilities for certain public highways and bridges within the corporate limits of the City of Johnstown; and

WHEREAS, the City has the ability, personnel, equipment and materials to remove snow and ice from these public highways in a prompt and efficient manner; and

WHEREAS, the Pennsylvania Department of Transportation desires to enter into an agreement for snow removal and de-icing services with the City of Johnstown for the winter seasons of 2017-2018; 2018-2019; 2019-2020; 2020-2021; and 2021-2022.

WHEREAS, the City Council of the City of Johnstown desires to enter into the said agreement with the Pennsylvania Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, Pennsylvania, that the City Manager is hereby authorized and directed to renew the Winter Traffic Services Agreement with the Commonwealth of Pennsylvania, Department of Transportation for the winter seasons of 2017-2018; 2018-2019; 2019-2020; 2020-2021; and 2021-2022.

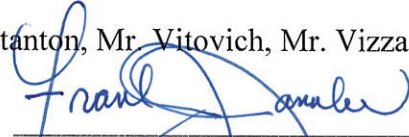
ADOPTED:

September 13, 2017

By the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza. (6)

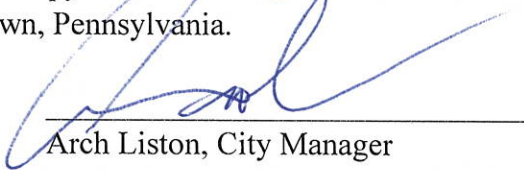
Nays: Mr. Williams. (1)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9986 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE ALLOCATION OF THE 2017 FUNDS FROM THE COMMONWEALTH OF PENNSYLVANIA UNDER ACT 147 OF 1988

WHEREAS, Act 147 of 1988, Special Ad Hoc Municipal Police and Firefighter Post-Retirement Adjustment, provides for annual allocations to qualified retirees of each municipality during each calendar year; and

WHEREAS, the 2017 Ad Hoc reimbursement for the City of Johnstown, in the amount of \$17,700.00 has been forwarded to the Department of Finance by the Department of the Auditor General; and

WHEREAS, under Act 147 of 1988, the governing body of the municipality determines the allocation of the 2017 Ad Hoc Aid to the City of Johnstown's Pension Funds – Police and Fire.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Johnstown, Pennsylvania, hereby allocates the 2017 Ad Hoc Aid under Act 147 of 1988 as follows:

Police	\$ 7,788.00
Fire	<u>9,912.00</u>
Total	\$ 17,700.00

ADOPTED:

September 13, 2017

By the following vote:

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola,
Mrs. Mock. (7)

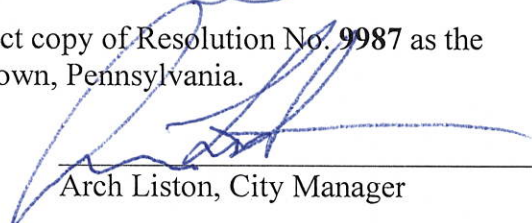
Nays: None



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9987 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

EXHIBIT "A"

RESOLUTION NO. 9988

**OF
CITY COUNCIL OF THE
CITY OF JOHNSTOWN**

Submitted by: Finance Director

WHEREAS, on November 10, 2009, the City Council of the City of Johnstown (the "City") adopted Resolution No. 9373 to sell its real estate tax claims for the fiscal year ending December 31, 2008 and prior years (collectively, the "2008 Tax Claims"), for the fiscal year ending December 31, 2009 (the "2009 Tax Claims") and for the fiscal year ending December 31, 2010 (the "2010 Tax Claims") to the Public Asset Management Inc. (the "PAM"); and

WHEREAS, on December 31, 2011, the City Council of the City of Johnstown (the "City") adopted Resolution No. 9526 to sell its real estate tax claims for the fiscal year ending December 31, 2011 (the "2011 Tax Claims"), for the fiscal year ending December 31, 2012 (the "2012 Tax Claims") and for the fiscal year ending December 31, 2013 (the "2013 Tax Claims") to the Public Asset Management Inc. (the "PAM") or Northwest Pennsylvania Incubator Association ("NPIA"); and

WHEREAS, on July 23, 2014, the City Council of the City of Johnstown (the "City") adopted Resolution No. 9686 to sell its real estate tax claims for the fiscal year ending December 31, 2014 (the "2014 Tax Claims"), for the fiscal year ending December 31, 2015 (the "2015 Tax Claims") and for the fiscal year ending December 31, 2016 (the "2016 Tax Claims") to the Public Asset Management Inc. (the "PAM") or Northwest Pennsylvania Incubator Association ("NPIA"); and

WHEREAS, the City (i) will be owed outstanding taxes that are secured by real estate tax claims for the fiscal year ending December 31, 2017 (the "2017 Tax Claims"); (ii) will be owed additional outstanding taxes that will be secured by real estate tax claims for the fiscal year ending December 31, 2018 (the "anticipated 2018 Tax Claims"); and also (iii) will be owed additional outstanding taxes that will be secured by real estate tax claims for the fiscal year ending December 31, 2019 (the "anticipated 2019 Tax Claims"); and

WHEREAS, pursuant to the Agreement of Sale and Purchase of Tax Claims, dated as of October 31, 2009, as amended and supplemented, between the City and PAM (the "October 31, 2009 Agreement"), a program continues to exist for PAM, on or after January 1, 2018, to purchase the City's 2017 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount and, on or after January 1, 2019, to purchase the City's anticipated 2018 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, and, on or after January 1, 2020, to purchase the City's anticipated 2019 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount; and

WHEREAS, additionally, Northwest Pennsylvania Incubator Association ("NPIA") has a program in place to purchase, on or after January 1, 2018, to purchase the City's 2017 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount and, on or after January 1, 2019, to purchase the City's anticipated 2018 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, and, on or after January 1, 2020, to purchase the City's anticipated 2019 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount; and

WHEREAS, Municipal Revenue Services, Inc. ("MRS"), as the exclusive service agent for both PAM and NPIA, will select the purchaser, i.e., PAM or NPIA, prior to the respective sale of the 2017 Tax Claims, the anticipated 2018 Tax Claims and the 2019 Tax Claims, as it concludes, in its due diligence, best serves the interests of the parties at the time of each sale; and

WHEREAS, an Addendum to the October 31, 2009 Agreement, which includes therein a mandatory repurchase obligation by the City under certain circumstances, together with any other documents or instruments necessary to complete the transaction will be entered into by the City and PAM, or NPIA, for the purchase, sale and assignment of the 2017 Tax Claims and shall be further amended by the City and PAM, or NPIA, for the subsequent purchase, sale and assignment of the anticipated 2018 Tax Claims and anticipated 2019 Tax Claims.

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the City shall sell its 2017 Tax Claims, on or after January 1, 2018, in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, and, on or after January 1, 2019, to sell the anticipated 2018 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount, and, on or after January 1, 2020, to sell the anticipated 2019 Tax Claims in exchange for an estimated amount not to exceed that fiscal year's real estate tax settlement amount to the PAM, or NPIA, pursuant to the October 31, 2009 Agreement, as amended, which includes, or will include, therein a mandatory repurchase obligation by the City under certain circumstances and other supporting documents and amendments that shall be in a form approved by the City Manager and the City Solicitor; and be it

FURTHER RESOLVED, that the City be and is hereby authorized to sell the 2017 Tax Claims, the anticipated 2018 Tax Claims and the anticipated 2019 Tax Claims to PAM, or NPIA, on such terms and conditions as approved by the City Manager and the City Solicitor; and be it

FURTHER RESOLVED, that upon sale, the City will assign such sold tax claims to PAM, or NPIA, and PAM, or NPIA, will in turn assign these tax claims to its lender; and be it

FURTHER RESOLVED, that, as necessary, the City shall execute such documents with PAM, or NPIA, and other appropriate entities as shall be reasonably necessary to facilitate the continued collection and servicing of the 2017 Tax Claims, the anticipated 2018 Tax Claims and the anticipated 2019 Tax Claims; and be it

FURTHER RESOLVED, that the City shall exclusively utilize the firm of Municipal Revenue Services, Inc. ("MRS") to facilitate the structure, closing and implementation of the sale of the 2017 Tax Claims, the 2018 Tax Claims and 2019 Tax Claims as contemplated by the 2009 Sales Agreement and all Addendums, and further that the City shall defer to MRS in the selection of the purchaser of said tax claims each year.

FINALLY RESOLVED, that the proper City officials be and they are hereby authorized and directed to take any and all actions necessary and required to complete the transaction, including, but not limited to, the execution of all documents subject to the approval as to form of said document by legal counsel for the City.

We do hereby certify that the above Resolution was passed by the City Council of the City of Johnstown this 13th day of September, 2017.

ADOPTED:

September 13, 2017

By the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic. (5)

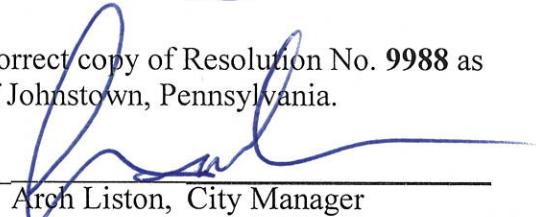
Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9988 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9989

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED LICENSE AND INDEMNITY AGREEMENT WITH THE REDEVELOPMENT AUTHORITY OF THE CITY OF JOHNSTOWN IN RELATION TO THE INSTALLATION AND MAINTENANCE OF A 24 INCH SANITARY SEWER LINE UNDER THE SOLOMON RUN FLOOD PROTECTION STREAM CHANNEL.

WHEREAS, the Redevelopment Authority of the City of Johnstown (JRA) is in the process of funding and constructing the Horner Street and Ohio Street interceptor and storm water separation project and has received relevant permits for project work contemplated under the Solomon Run Flood Protection Project Stream Channel; and

WHEREAS, the City of Johnstown will benefit from the performance of this work, to include the installation and maintenance by the JRA of a 24 inch sanitary sewer line under the Solomon Run Flood Protection Stream Channel as well as the corresponding indemnification of the City by the JRA included in the attached Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City of Johnstown hereby authorizes the City Manager to execute and take any/all other necessary actions to enter into the attached License and Indemnity Agreement with the JRA pertaining to construction of a new sanitary sewer line for the Solomon Run Flood Protection Project.

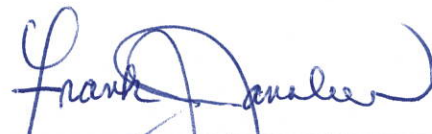
ADOPTED:

September 13, 2017

By the following Vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola. (7)

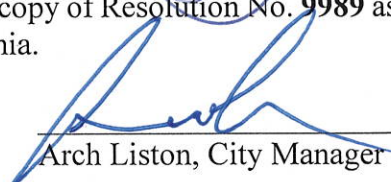
Nays: None



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9989 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9990

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING THOMAS HORNER'S REQUEST TO PURCHASE TWO YEARS, FOUR MONTHS, AND FOUR WEEKS OF MILITARY SERVICE COMPLETED PRIOR TO EMPLOYMENT WITH THE CITY OF JOHNSTOWN TO INCREASE HIS RETIREMENT CREDIT FOR FIREFIGHTER PENSION CALCULATIONS.

WHEREAS, Ordinance 4441 of the Administrative Code of the City of Johnstown, passed finally on October 28, 1987, requires City Council's approval of a firefighter's request for credit of up to five years of military service, where the member is making contributions to the Firemen Pension Fund and served in the Armed Forces of the United States after September 1, 1940, and who was not a member of the Firemen 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, plus any interest the employer would have been required to pay on the contributions 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 International Association of Fire Fighters further authorizes the purchase of retirement credit up to a maximum of five years of military service, pending payments of necessary pension contributions; and

WHEREAS, Thomas Horner requested to purchase two years, four months, and four weeks of military service performed prior to his employment with the City of Johnstown in 1991, and while he was an active member making contributions to the Firemen's Pension Fund; and

WHEREAS, Thomas Horner satisfactorily provided documentation in support of his request to purchase two years, four months, and four weeks of military service performed prior to his employment with the City of Johnstown in 1991, and the Pension Board has approved his request; and

WHEREAS, Thomas Horner satisfied all prerequisites for seeking approval of the above-referenced purchase, and submitted his request to do so while an active employee in August of 2017; and

WHEREAS, Thomas Horner shall make total contributions to the Pension Fund in the amount of \$3,784.10 in order to receive credit for the purchased year(s); and

WHEREAS, the City of Johnstown's Administrative Code nonetheless requires City Council's approval of Thomas Horner's request for credit of two years, four months, and four weeks of military service.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes and provides approval of Thomas Horner's request for credit of two years, four months, and four weeks of military service of retirement credit for firefighter pension calculations.

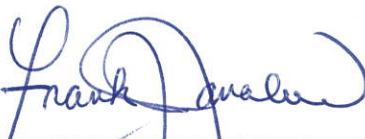
ADOPTED:

September 13, 2017

By the following vote:

Yeas: Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich. (7)

Nays: None



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9990 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9991

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2017 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES, AND MORE SPECIFICALLY, BUDGET EXHIBIT (A) AS DETAILED BELOW:

<u>PARKING FUND</u>				ADJ BUDGET
<u>DEPARTMENT</u>	<u>TR. TO LINE ITEM</u>	<u>TR FROM LINE ITEM</u>	<u>AMOUNT</u>	<u>BALANCE</u>
Non-Departmental	02-405-31-049-00	02-443-18-027-00	\$1,000.00	\$7,000.00

<u>SANITATION FUND</u>				ADJ BUDGET
<u>DEPARTMENT</u>	<u>TR. TO LINE ITEM</u>	<u>TR FROM LINE ITEM</u>	<u>AMOUNT</u>	<u>BALANCE</u>
PW – San Recyc	21-426-36-045-00	21-427-14-000-00	\$1,400.00	\$1,988.68

<u>SEWER UPGRADE FUND</u>				ADJ BUDGET
<u>DEPARTMENT</u>	<u>TR. TO LINE ITEM</u>	<u>TR FROM LINE ITEM</u>	<u>AMOUNT</u>	<u>BALANCE</u>
PW – Sew Upg Elect	24-441-36-080-00	24-431-19-010-00	\$1,000.00	\$1,000.00

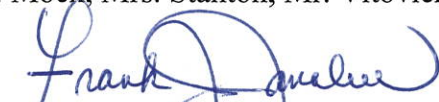
ADOPTED:

September 13, 2017

By the following vote~

Yeas: Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,
Mr. Vizza. (7)

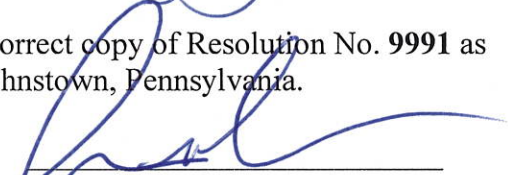
Nays: None



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9991 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.


Arthur Liston,
City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9992

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ACKNOWLEDGING AND/OR AUTHORIZING CERTAIN INTERFUND REPAYMENTS AS RECOMMENDED IN THE MANAGEMENT LETTER ACCOMPANYING THE ANNUAL AUDIT OF THE CITY'S FINANCIAL RECORDS FOR FISCAL YEAR 2016.

WHEREAS, the City of Johnstown had previously executed certain borrowing activity between designated funds for purposes of ensuring its ability to meet certain operating obligations; and,

WHEREAS, the City is currently able to repay and rectify certain interfund borrowings as referred to within the Management Letter accompanying the Annual Audit of the City's Financial Records for Fiscal Year 2016; and

WHEREAS, in connection with the 2016 Annual Audit the City Auditors have recommended that the following interfund balance amounts be repaid, as a matter of recordkeeping and in connection with a recommendation to consolidate certain funds via the adoption of the City's annual budget for calendar year 2018:

General Fund to Sewage Fund	\$1,475,364
General Fund to Liquid Fuels	\$133,939
General Fund to UDAG	\$548,014
Debt Service to General Fund	\$1,441,741
Parking Revenue to UDAG	\$300,000
Sewer Fund to Pension Funds	\$267,677

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City of Johnstown hereby acknowledges and authorizes the interfund repayment reflected above as recommended by the 2016 audit and Management Letter and further authorizes the City Manager and/or his designee to take any and all necessary actions to complete and/or verify the completion of said repayment.

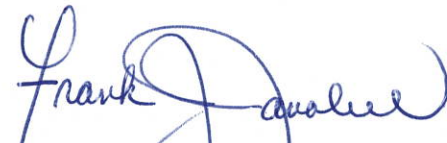
ADOPTED:

September 13, 2017

By the following Vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock. (5)

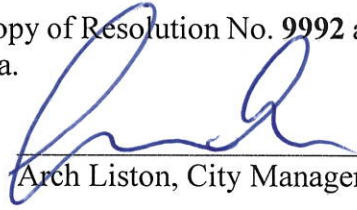
Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9992** as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9993

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ACKNOWLEDGING AND/OR AUTHORIZING CERTAIN INTERFUND ELIMINATIONS, RECLASSIFICATION OF NET POSITION AND CONVERSION OF FUNDS AS PRESENTED IN NOTE 14 OF THE ANNUAL AUDIT OF THE CITY'S FINANCIAL RECORDS FOR FISCAL YEAR 2016.

WHEREAS, the City of Johnstown had previously engaged in certain borrowing activity and transfers between designated funds for purposes of ensuring its ability to meet certain operating obligations, as further detailed in the Information attached as Exhibit A; and

WHEREAS, this borrowing activity occurred on a strictly internal basis, between City of Johnstown funds, and not involving any third parties or restricted grant funds; and

WHEREAS, the borrowing has resulted in certain payables and receivables between funds, all of which are internal to the City; and

WHEREAS, certain funds subject to this activity have become eligible for conversion to government rather than proprietary funds; and

WHEREAS, the City of Johnstown issued an unfunded debt loan in 2016 which gave the City the ability to absorb a one-time restructuring of fund balances; and

WHEREAS, the debt service shall now be paid from the Debt Service Fund, which matches the 2017 budget approach and results in the Parking Funds, being presented as a Governmental Fund Type; and

WHEREAS, The restructuring of fund balance creates a more efficient, meaningful and transparent reporting structure; and

WHEREAS, the actions contemplated by this Resolution would make a reclassification of net position appropriate; and

WHEREAS, in connection with the 2016 Annual Audit the City Auditors have recommended in Note 14 to the Annual Audit, and as reflected in Exhibit A, that those certain payables and receivables be eliminated, and/or forgiven, that certain eligible funds be converted as discussed above, and that reclassification of net position take place as a matter of recordkeeping and in connection with a recommendation to consolidate certain funds via the adoption of the City's annual budget for calendar year 2018; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City of Johnstown hereby acknowledges and to any extent necessary authorizes the elimination of certain payables and receivables arising from interfund transfers, the conversion of funds and the

reclassification of net position as reflected on Exhibit A to this Resolution, as recommended in Note 14 of the Annual Audit of the City's Financial Records for Fiscal Year 2016 and hereby further authorizes the City Manager and/or his designee to take any and all necessary actions to complete and/or verify the completion of said actions.

ADOPTED:

September 13, 2017

By the following Vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock. (5)

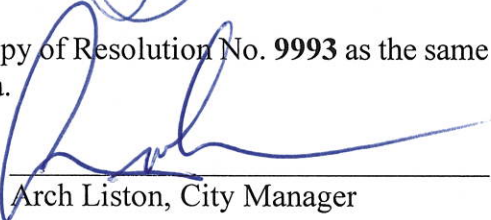
Nays: Mr. Williams, Mrs. Stanton. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9993** as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN PENNSYLVANIA

RESOLUTION NO. 9994

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ACKNOWLEDGING AND APPROVING A CODE COMPLAINT POLICY FOR THE CITY OF JOHNSTOWN.

WHEREAS, the City Manager, in coordination with the Director of Community and Economic Development has reviewed and found that the submission of code enforcement complaints is currently occurring through multiple, indirect means including submission to City Council members, other City Boards and Commissions and/or their members, City staff and other third parties who are not employed, designated, or otherwise deputized for such duties, as well as through informal, unofficial modes of communication such as social media and verbal conversation outside of and apart from the City Codes Department; and

WHEREAS, submission of code complaints on such a varied basis create inefficiencies and redundancies for the City Codes Department, is often burdensome and confusing with respect to identifying important data, and ultimately precludes the Code Enforcement office from maintaining uniformity and consistency in the manner in which code complaints are addressed; and

WHEREAS, these issues also impose additional cost and burden on City operations by preventing a streamlined, efficient, and uniform process for receipt and investigation of code complaints including, but not limited to, the use of recent technology upgrades including an electronic database for tracking code complaint data; and

WHEREAS, the City Administration has determined that a standardized Policy and Procedure for the submission of Code Complaints is necessary and is strongly recommended for purposes of alleviating these issues and ensuring the appropriate recording, processing, and maintenance of efficient and accurate data pertaining to code complaints; and

WHEREAS, use of a single, specified contact for inquiries and a uniform form for such submissions are recommended practices at both the local and state level, in legislation and policies including, but not limited to, those adopted for the Pennsylvania Right to Know Law; and

WHEREAS, after careful review, the City Administration hereby recommends the adoption of the attached, uniform policy and process for the submission and receipt of code complaints in order to streamline the protocol for receiving, tracking and investigating such complaints, to

alleviate the burden imposed on City operations by current practices, and to ultimately improve the code enforcement process within the City; and

WHEREAS, the City Manager wishes to obtain Council's approval for purposes of both publicizing and endorsing the attached Code Complaint Policy which, if adopted and approved, will be published on the City website and likewise made available at the City Manager's Office and within the Department of Community and Economic Development;

NOW, THEREFORE, be it resolved by the City Council of the City of Johnstown, that the City of Johnstown hereby acknowledges, as presented, and to the extent necessary approve the City Administration's Code Complaint Policy, attached hereto, which shall be effective on the first day immediately following the adoption of this Resolution.

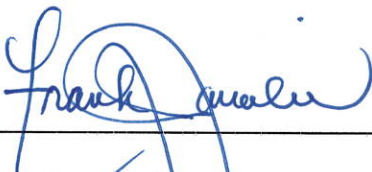
ADOPTED:

September 13, 2017

By the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic. (5)

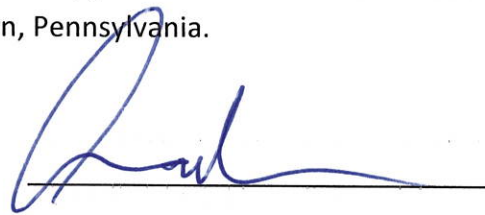
Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9994 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN CODE COMPLAINT POLICY

Code Complaints must be submitted on the attached complaint form, either in person, or by mail, fax or email, and must be addressed directly to the City of Johnstown Codes Department via the contact information provided below:

City of Johnstown

ATTN: Codes Department – Code Complaint

Address: 401 Main Street, Johnstown, PA 15901

Phone: 814-533-2017

Fax: 814-539-5816

Email: Codes@cojtown.com

Complaints will not be accepted or considered received by the City for purposes of processing and investigation unless and until they are submitted directly to the Codes Department via the contact information provided above, in writing, utilizing the City's official Code Complaint form attached to this Policy.

City employees and appointed officials who are not specifically employed or appointed to work within the Codes Department will forward code complaints that are misdirected to them, and will provide assistance in directing those with such complaints to the Codes Department where possible.

A separate City complaint form must be submitted for each code violation reported, and for each property reported. If the Complaint pertains to multiple code violations on one property, they should be numbered and identified as clearly and specifically as possible on the City Complaint form.

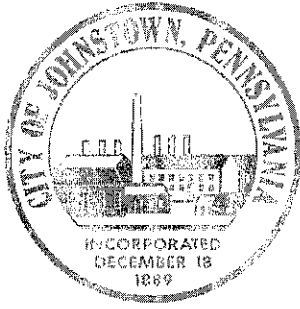
The City Codes Department staff will provide updates to the original complainant only, when requested.

Requests for accommodation of these requirements for individuals with disabilities will be evaluated on a case by case basis in accordance with applicable law and should be communicated to the Codes Department or to the City Manager.

Codes Department Investigation and Enforcement Procedure:

- Codes Department Receives complaint
- Code Enforcement Officer enters complaint in to Freedom System.

- Code Enforcement Officer investigates, completes site visit to confirm code violation(s)
- If No violation, then complaint is closed
- If violation is present, Offices leaves citation or \$25/violation ticket at the property
- Code Enforcement Officer enter citation and/or ticket information in to Freedom
- Code Enforcement Officer follows up within the timeframe given to remedy the violation
- If necessary, Code Enforcement Officer issues additional citations.
- If necessary, Docket completed for those being taken to Court for Hearing
- Following Hearing, if violation found:
 - Confirm compliance
 - Additional citations if not in compliance
 - Complaint closed if in compliance



City of Johnstown - Code Complaint

Date of Complaint _____

Address of Complaint _____

Property Owner _____

Description of Complaint (attach additional pages, photos, etc. if necessary)

OPTIONAL:

Name of Complainant _____

Phone Number of Complainant _____

E-Mail of Complainant _____

Does complainant want to be notified of actions taken by the City of Johnstown? YES NO

For Office Use:

Code Officer Assigned _____ Date Received _____

Date Entered in to Freedom _____ Was the Complainant Contacted YES NO

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9995

A RESOLUTION OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, COMMONWEALTH OF PENNSYLVANIA APPROVING TRANSFER OF LIQUOR LICENSE NUMBER R-8203 INTO THE CITY OF JOHNSTOWN FROM PORTAGE BOROUGH.

WHEREAS, Act 141 of 2000 (the Act), which amends the Commonwealth's Liquor Code, 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 provide for in section 461 of the Liquor Code, if sales of liquor and malt beverages are legal in the municipality receiving the license; and

WHEREAS, the receiving municipality must issue a resolution approving the transfer of the liquor license outside the municipality to inside the municipality, and

WHEREAS, amendments to the Liquor Code stipulate that, prior to the adoption of a resolution by the receiving municipality, at least one hearing must be held by the PLCB for the purpose of permitting interested parties to state their concerns regarding the transfer of a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act for purposes of pursuing such matters must contain a copy of the Resolution adopted by the municipality approving the transfer of the liquor license into the municipality, and

WHEREAS, the City of Johnstown finds that a transfer of a liquor license into the City of Johnstown by Wolf's Den Properties, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents;

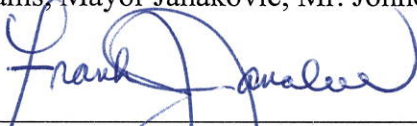
NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Johnstown hereby approves Wolf's Den Properties, LLC, request and further approves of the proposed transfer of Pennsylvania Liquor License #R-8203 from **Garrett Family Inc. 601 Bedford Street Portage, PA 15946** to Wolf's Den Properties, LLC, which will trade as Wolf's Den Properties LLC dba The Sundown Saloon, 101 Washington Street, Johnstown, PA 15901, with the understanding that the ultimate approval of said transfer must occur at a later date by the Pennsylvania Liquor Control Board.

ADOPTED: September 13, 2017

By the following Vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola. (7)

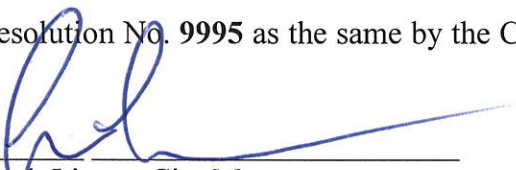
Nays: None



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9995** as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

**CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9996**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DECLARING ITS INTENT TO GRANT A RIGHT OF WAY AGREEMENT AND EASEMENT TO JOHNSTOWN BUSINESS DISTRICT COALITION T/A DISCOVER DOWNTOWN JOHNSTOWN FOR THE PURPOSE OF A PERMANENT STRUCTURE TO BE CONSTRUCTED WITHIN JOHNSTOWN CENTRAL PARK.

WHEREAS, the City of Johnstown would grant access to Cambria County Tax Number: 72-001.-300.000, Cambria County, and State of Pennsylvania to Johnstown Business District Coalition t/a Discover Downtown Johnstown ("Discover") through an Right-of-Way Agreement and Easement; and

WHEREAS, the City of Johnstown grants Discover a perpetual right-of-way to construct, install and maintain a public, scenic and permanent structure in and across the lands of the City of Johnstown; and

WHEREAS, Discover has agreed to maintain the said structure in compliance with all applicable City of Johnstown Ordinances and the International Property Maintenance Provisions; and

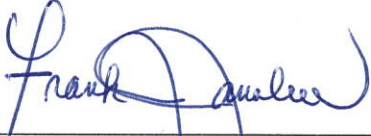
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Johnstown, Cambria County, Pennsylvania, that it intends to sign the Right-of-Way Agreement and Easement allowing Discover Downtown for the purpose of the construction of a permanent structure across the City of Johnstown owned property, Tax Number: 72-001.-300.000.

ADOPTED: September 13, 2017

By the following Vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola. (4)

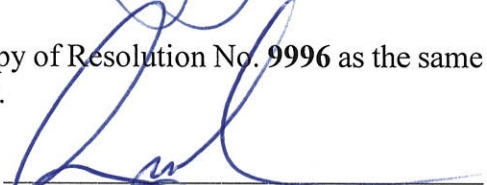
Nays: Mrs. Stanton, Mr. Williams, Mrs. Mock. (3)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9996 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager