

JOHNSTOWN CITY COUNCIL
CITY COUNCIL AGENDA
ANTHONY C. TRUSCELLO COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 14, 2020
BUDGET WORKSHOP - 5:00 PM
PUBLIC HEARING – 5:45 PM
REGULAR MEETING – 6:00 PM

*Document Forwarded with Agenda

CALL TO ORDER;

INVOCATION;

PLEDGE OF ALLEGIANCE;

ROLL CALL;

APPROVAL OF MINUTES;

1. Regular meeting minutes of August 12, 2020
2. Special meeting minutes of August 26, 2020

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION;

Proclamations

1. Energy Efficiency Day 2020
2. Miss Wheelchair Pennsylvania 2021

PUBLIC COMMENT – AGENDA ITEMS ONLY (Limit 5 minutes)

REPORTS;

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR
- d. CITY ENGINEER
- e. COUNCIL UPDATES/ NEIGHBORHOOD LIAISONS
 1. Planning Commission minutes of September 2, 2020
 2. Letter from Melanie Boyer re: Johnstown Toastmasters Club

PETITIONS;

ORDINANCE FOR FINAL READ:

1. BILL NO. 17 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 REVENUE RECEIVED AS PROCEEDS FROM THE SALE OF THE CITY SEWER SYSTEM TO THE GREATER JOHNSTOWN WATER AUTHORITY AND RELATED EXPENDITURES; TO ADJUST A LINE ITEM AMOUNT IN THE UDAG FUND; AND TO RATIFY AND/OR CLARIFY ADJUSTED WORDING OF CERTAIN LINE ITEMS AND COLUMN LABELS INCLUDED WITHIN SAID FUNDS, FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING.* (Tabled 9/9/20)
2. BILL NO. 18 OF 2020 AN ORDINANCE AMENDING ORDINANCE NO. 4747, ADOPTED APRIL 24, 1996, and AS CODIFIED AT CHAPTER 610 , “ALCOHOLIC BEVERAGES’ OF THE CODIFIED ORDINANCES, TO AMEND SECTION 610.1 ENTITLED: “CONSUMPTION ON PUBLIC PROPERTY”, TO UPDATE AND CLARIFY LIMITATIONS ON THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN DESIGNATED AREAS.
3. BILL NO. 19 OF 2020 AN ORDINANCE AMENDING ORDINANCE NO. 5259 ADOPTED NOVEMBER 1, 2018, ADOPTING THE ACT 47 EXIT PLAN FOR THE CITY OF JOHNSTOWN, COMMONWEALTH OF PENNSYLVANIA, PURSUANT TO THE MUNICIPALITIES FINANCIAL RECOVERY ACT (ACT 47 OF 1987 AS AMENDED) AND PURSUANT TO ACT 23 OF 2020 PROVIDING FOR THE ADOPTION OF UPDATED FINANCIAL CONDITION EVALUATION PROJECTIONS, EXTENDING THE COLLECTIVE BARGAINING ALLOCATION LIMITS, AND EXTENDING THE DESIGNATED ACT 47 EXIT DATE FOR THE CITY OF JOHNSTOWN BY EIGHTEEN (18) MONTHS THROUGH APRIL 28, 2023.
4. BILL NO. 20 OF 2020 AN ORDINANCE OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING ISSUANCE OF ITS GENERAL OBLIGATION NOTE, SERIES OF 2020 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$19,000,000 PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT, DETERMINING THAT SUCH DEBT WILL BE NONELECTORAL DEBT OF THE LOCAL GOVERNMENT UNIT; ACCEPTING A PROPOSAL FOR PURCHASE OF SUCH NOTE, AWARDING SUCH NOTE, AND SETTING FORTH RELATED PROVISIONS; PROVIDING THAT SUCH GENERAL OBLIGATION NOTE, WHEN ISSUED, WILL BE A GENERAL OBLIGATION OF THE LOCAL GOVERNMENT UNIT; FIXING THE SUBSTANTIAL FORM, DENOMINATIONS, NUMBERS, DATE, MATURITY DATE, INTEREST RATE, INTEREST PAYMENT DATES, REGISTRATION PROVISIONS, PLACE OF PAYMENT OF PRINCIPAL AND INTEREST; AUTHORIZING EXECUTION OF SUCH NOTE; PROVIDING COVENANTS RELATED TO PAYMENT OF DEBT SERVICE AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE LOCAL GOVERNMENT UNIT IN SUPPORT THEREOF; CREATING A SINKING FUND AND A CLEARING ACCOUNT; APPOINTING AGENTS

AND PROFESSIONALS; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE LOCAL GOVERNMENT UNIT TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS AND THINGS; RATIFYING PRIOR ADVERTISEMENT AND DIRECTING FURTHER ADVERTISEMENT; AUTHORIZING PAYMENT OF EXPENSES; AUTHORIZING THE EXECUTION OF A PLEDGE AGREEMENT TO PROVIDE ADDITIONAL SECURITY FOR THE PAYMENT OF THE NOTE AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INSOFAR AS THE SAME WILL BE INCONSISTENT HEREWITH.

ORDINANCES FOR FIRST READ:

1. BILL NO. 21 OF 2020 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN AMENDING ORDINANCE NO. 4968 PASSED AUGUST 10, 2005 TO CLARIFY AND UPDATE PROVISIONS ADDRESSING THE PRESENCE OF DOGS WITHIN CITY PARKS AND PLAYGROUNDS.*
2. BILL NO. 22 OF 2020 AN ORDINANCE AMENDING ORDINANCE NO. 5279, FINALLY ADOPTED ON DECEMBER 11, 2019, AND SPECIFICALLY THE CODE OF ORDINANCES OF THE CITY OF JOHNSTOWN, TITLE II, CHAPTER 422.08, TO CLARIFY THE APPLICATION OF CERTAIN RESTRICTIONS ON ELIGIBILITY OF TOWING COMPANIES AND THEIR EMPLOYEES.*
3. BILL NO. 23 OF 2020 AN ORDINANCE OF THE CITY OF JOHNSTOWN AMENDING ORDINANCE NO. 5221, ADOPTED FEBRUARY 8, 2017, AS CODIFIED AT CHAPTER 1480 IN ORDER TO IMPLEMENT UPDATED PROVISIONS ADDRESSING INITIAL NON-REFUNDABLE REGISTRATION FEES AND TO ELIMINATE THE USE OF REVOLVING FUNDS.*
4. BILL NO 24 OF 2020 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, AUTHORIZING THE DENIAL OF PERMITS AND APPROVALS, THE RECOVERY OF COSTS AND PENALTIES INCLUDING ATTORNEYS FEES, AND COURT ACTION FOR THE ABATEMENT OR PREVENTION OF SERIOUS CODE VIOLATIONS TO FULLEST EXTENT PERMITTED BY NEIGHBORHOOD BLIGHT RECLAMATION AND REVITALIZATION ACT, ACT NO. 90-2010 AND PRESERVING ALL REMEDIES FOR THE RECOVERY, PREVENTION, ABATEMENT OR RESTRAINT OF CODE VIOLATIONS UNDER OTHER STATUTES AND ORDINANCES.*
5. BILL NO. 25 OF 2020 AN ORDINANCE TO PARTIALLY VACATE BRINKER ALLEY FROM NAPOLEON STREET TO THOMAS AVENUE IN JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE.*

RESOLUTIONS:

1. 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 AND AN AMENDMENT TO THE POLICY TO ADDRESS THE DEPOSIT AND PERIODIC, 24 MONTH INVESTMENT OF THE CONTRIBUTION OF \$19,000,000 AS A RESULT OF THE SALE OF THE SEWER CONVEYANCE SYSTEM TO THE GREATER JOHNSTOWN WATER AUTHORITY.*

2. 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 ALL DOCUMENTS REQUIRED AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE SUBMISSION OF THE ATTACHED APPLICATION FOR TRAFFIC SIGNAL MAINTENANCE APPROVAL TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION.*

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECUATE A GRANT AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY UNDER THE BROWNFIELDS PROGRAM, FOR A GRANT AMOUNT OF \$600,000.00 TO BE USED FOR ENVIRONMENTAL CONDITION ASSESSMENTS AND REMEDIATION PLANNING WITHIN CAMBRIA COUNTY, PENNSYLVANIA*

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO RELEASE A REQUEST FOR PROPOSALS (RFP) FOR BROWNFIELD ENVIRONMENTAL ASSESSMENT AND PLANNING SERVICES.*

5. A RESOLUTION OF THE CITY OF JOHNSTOWN PENNSYLVANIA SUPPORTING A PROPOSAL TO DEDICATE AND RENAME THE HICKORY STREET BRIDGE AS THE CARLTON LEE HASELRIG BRIDGE TO HONOR THE ACHIEVEMENTS, OVERCOMING OF ADVERSITIES, AND COMMITMENT TO THE YOUTH OF JOHNSTOWN BY CARLTON LEE HASELRIG.*

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECUATE A GRANT AGREEMENT WITH THE COMMUNITY FOUNDATION FOR THE ALLEGHENIES UNDER THE COMMUNITY INITIATIVES PROGRAM, FOR A GRANT AMOUNT OF \$55,000.00 TO BE USED FOR IMPROVEMENTS WITHIN SARGENT'S STADIUM.*

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, ACCEPTING THE PROPOSAL OF THE EADS GROUP INC., FOR ENGINEERING SERVICES TO PROVIDE ENGINEERING AND DESIGN DRAWINGS AND SPECIFICATIONS FOR CONSTRUCTION DOCUMENTS ON THREE OF THE SIX SECTIONS OF THE PATH OF THE FLOOD TRAIL AND AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN AGREEMENT AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE SAME, FOR A TOTAL FEE OF \$70,000.00.*
8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, ACCEPTING THE PROPOSAL OF BRYN ENTERPRISES LLC., FOR REPAIR OF MISSING ROOF TILES AND REPAIR OF THE BOX GUTTER SYSTEM ON CITY HALL AND AUTHORIZING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE SAME, FOR A TOTAL FEE OF \$147,322.00.*
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, ACCEPTING THE PROPOSAL OF ALLEGHENY RESTORATION INC., FOR REPAIR OF THE CITY HALL MASONRY AND AUTHORIZING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO ENTER INTO AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE AN AGREEMENT BASED ON SAID PROPOSAL, FOR A TOTAL FEE OF \$181,425.00.*
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA ACCEPTING THE PROPOSAL OF QUAKER SALES CORPORATION FOR MILLING AND PAVING OF CERTAIN CITY-OWNED PORTIONS OF PLAINFIELD AVENUE AND DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE AN AGREEMENT AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME, FOR A TOTAL FEE OF \$54,625.50.*
11. A RESOLUTION, OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING THE FY 2020-2024 FIVE YEAR CONSOLIDATED PLAN, FY 2020 ANNUAL ACTION PLAN, AND FY 2020 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAMS APPLICATIONS.*
12. A RESOLUTION, OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA APPROVING AN AMENDMENT TO THE FY 2014, 2015, 2018, and 2019 CDBG PROGRAMS.*
13. A RESOLUTION, OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING THE CHANGE IN THE CITY'S FEDERAL CDBG AND HOME GRANT PROGRAM YEAR FROM JANUARY 1ST TO DECEMBER 31ST EACH YEAR TO APRIL 1ST TO MARCH 31ST OF THE FOLLOWING YEAR, EFFECTIVE APRIL 1, 2021.*

14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO RELEASE A REQUEST FOR PROPOSALS (RFP) FOR THE DEMOLITION OF TWENTY-SIX (26) DILAPIDATED STRUCTURES THROUGHOUT THE CITY OF JOHNSTOWN.*
15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO RELEASE A REQUEST FOR PROPOSALS (RFP) FOR REHABILITATION OF THE ROXBURY PARK HOCKEY RINK. *
16. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO ENTER INTO AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE AN AGREEMENT WITH THE CAMBRIA COUNTY TRANSIT AUTHORITY, INCLINED PLANE, INC., AND THE CONEMAUGH VALLEY CONSERVANCY FOR THE CREATION AND OPERATION OF A RECREATIONAL PARK WITHIN THE CITY OF JOHNSTOWN, AND RELATED LEASE AGREEMENTS UNDER WHICH THE CITY SHALL CONTROL THE SUBJECT PROPERTY FOR A PERIOD OF 25 YEARS TO BE FOLLOWED BY A CONVEYANCE OF THE CITY-OWNED PROPERTY TO THE CONEMAUGH VALLEY CONSERVANCY AT THE CONCLUSION OF SAID LEASE AGREEMENTS.*
17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR ANY OF HIS DESIGNEES TO ENTER INTO AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE A CONTRACT WITH A WHOLESALE ENERGY COMPANY FOR THE PURPOSE OF DISCOUNTED ELECTRICITY.*
18. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE, UPON SOLICITOR APPROVAL AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE A LEASE AND OPERATIONS AGREEMENT WITH THE ROYAL BERKSHIRE, INC. FOR THE BERKLEY HILLS GOLF COURSE THROUGH DECEMBER 31, 2023 WITH AN OPTION FOR A 5-YEAR EXTENSION OF SAID AGREEMENT.*
19. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO PREPARE, ADVERTISE AND PURSUE A REQUEST FOR PROPOSALS FROM QUALIFIED ATTORNEYS AND FIRMS OF ATTORNEYS FOR THE APPOINTMENT AND PROVISION OF LEGAL SERVICES AS THE CITY SOLICITOR.*

20. 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 ALL DOCUMENTS REQUIRED AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE SUBMISSION OF THE ATTACHED APPLICATION FOR TRAFFIC SIGNAL MAINTENANCE TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION.*

NEW BUSINESS;

OLD BUSINESS;

MOTION;

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

1. Marlin Parker, property owner in the city re: fire escapes on apartment buildings
2. Brennan Mihalick, General Manager of the Prospect League Baseball Team

RECESS/ADJOURNMENT;

NEXT SCHEDULED MEETING – October 30, 2020 at 5:00 PM – Budget Presentation

NEXT REGULAR MEETING - November 18, 2020 at 6:00 PM