

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, NOVEMBER 8, 2017

ANTHONY C. TRUSCELLO COUNCIL CHAMBER

EXECUTIVE SESSION – 5:15 PM

REGULAR MEETING 6:00 PM

LEGEND: * Document forwarded with agenda

CALL TO ORDER;

INVOCATION;

PLEDGE OF ALLEGIANCE;

ROLL CALL;

APPROVAL OF MINUTES;

1. Regular meeting of September 13, 2017
2. Regular meeting of October 10, 2017

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION;

PUBLIC COMMENT - AGENDA ITEMS ONLY (Limit 10 Minutes)

REPORTS;

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR

* Entry of Appearance – Civil Docket No. 2017-4061 (Williams and Stanton v. City of Johnstown, et al) Cambria County Court of Common Pleas

* Entry of Appearance – Civil Docket No. 2017-4013 (Walnut Management Corporation, Appellant v. City of Johnstown, et al) Cambria County Court of Common Pleas

* Entry of Appearance – Civil Docket No. 2017-4114 (Johnstown Medical Development Corporation v. City of Johnstown, et al)

- d. CITY ENGINEER

- e. COUNCIL UPDATES
 - 1. Planning Commission Minutes of October 4, 2017
 - 2. Legislative Alert - Radar for Municipal Police
 - 3. Sept 28 letter from Michele Beener, re: Gautier Steel Ltd
 - 4. Oct. 6 letter from Bernard Mroczka re: City Council
 - 5. Oct. 25 letter from Jack Williams re: Violation Ord. No. 4719 as amended by Ord. No. 5062
 - 6. Oct. 27, 2017 submission of Initiative Petition from Petitioner's Committee
 - 7. Code complaints from: J. Williams - 3; C. Stanton – 2.

ORDINANCES FOR FINAL READ AND ADOPTION;

- 1. BILL NO. 27 OF 2017 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5214 PASSED FINALLY ON DECEMBER 29, 2016 AND THEN AMENDED BY ORDINANCE 5227 PASSED FINALLY APRIL 12, 2017 AND THEN AMENDED BY ORDINANCE 5235 PASSED FINALLY AUGUST 9, 2017 CITY OF JOHNSTOWN 2017 WAGE AND SALARY ORDINANCE TO AMEND THE 2017 WAGE AND SALARY ORDINANCE TO BE PAID ALL ELECTED OFFICIALS AND EMPLOYEES OF THE VARIOUS DEPARTMENTS AND BUREAUS OF THE CITY OF JOHNSTOWN FOR THE CALENDAR YEAR WITH AN EFFECTIVE DATE THE DAY AFTER FINAL APPROVAL OF CITY COUNCIL. **(Tabled Oct. 10, 2017)**
- 2. BILL NO. 30 OF 2017 AMENDING CHAPTER 1048 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN TITLED "INNER CITY SEWAGE SYSTEM," AND SPECIFICALLY SECTION 1048.03, AS PREVIOUSLY AMENDED BY ORDINANCE NOS. 4626, 4921, AND 5033, TO PERMIT TEMPORARY TRANSFERS AND/OR BORROWING IN LIMITED CIRCUMSTANCES, SPECIFIED BELOW.
- 3. BILL NO. 31 OF 2017 AN ORDINANCE ESTIMATING THE AMOUNT OF REVENUES TO BE RECEIVED BY THE CITY OF JOHNSTOWN FROM VARIOUS SOURCES AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES FOR THE OPERATIONS FOR THE VARIOUS BUREAUS, DEPARTMENTS, AND THE PAYMENT OF DEBT SERVICE OBLIGATIONS OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2018.
- 4. BILL NO. 32 OF 2017 AN ORDINANCE FIXING THE SALARIES AND WAGES TO BE PAID ALL ELECTED OFFICIALS AND EMPLOYEES OF THE VARIOUS DEPARTMENTS AND BUREAUS OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2018.

ORDINANCES FOR FIRST READ;

RESOLUTIONS;

1. 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 ALLOCATE FUNDS FOR THE CREATION OF THE CITY CLERK POSITION WITHIN THE 2017 CITY OF JOHNSTOWN OPERATING BUDGET, AND MORE SPECIFICALLY, BUDGET EXHIBIT (A) AS DETAILED BELOW: *
2. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPOINTING NANCY CUSHING TO SERVE AS CITY CLERK EFFECTIVE OCTOBER 10, 2017. **(Tabled Oct. 10, 2017)**
3. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE AND PURSUE A “REQUEST FOR PROPOSALS” FROM QUALIFIED ACCOUNTANTS OR ACCOUNTING FIRMS FOR APPOINTMENT AS CITY AUDITOR AND FOR PURPOSES OF PERFORMING AND COMPLETING SERVICES INCLUDING BUT NOT LIMITED TO AN INDEPENDENT ANNUAL AUDIT OF CITY OF JOHNSTOWN ACCOUNTS, BEGINNING JANUARY 1, 2018.*
4. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND DIRECTING THE CITY MANAGER TO PREPARE, ADVERTISE AND PURSUE A REQUEST FOR PROPOSALS FROM QUALIFIED FIRMS AND INDIVIDUALS FOR A MULTIPLE-YEAR AGREEMENT TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES INCLUDING, BUT NOT LIMITED TO, SPECIFIC PROJECTS AND SERVICES PERTAINING TO THE INNER CITY SEWER REHABILITATION PROJECT.*
5. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND DIRECTING THE 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.*
6. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH A. LIBERONI, INC. AWARDING CONTRACT 2017-05 FOR THE CONSTRUCTION OF THE HORNER STREET & OHIO STREET INTERCEPTOR & STORM WATER SEPARATION PROJECT.*

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE AND/OR CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO SEEK AND OBTAIN PROPOSALS FOR THE BORROWING OF A 2018 TAX ANTICIPATION NOTE IN AN AMOUNT NOT TO EXCEED \$1,500,000 AND FOR CLOSING NO LATER THAN DECEMBER 31, 2017.*
8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY MANAGER TO PLACE THE REQUIRED SUNSHINE/OPEN MEETING PUBLIC NOTICE FOR 5:00 P.M. PREVAILING TIME ;TUESDAY JANUARY 2, 2018 CITY COUNCIL'S REORGANIZATION MEETING PURSUANT; *
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA APPOINTING AND DESIGNATING Robert F. Johnson, Chief, JPD as ACTING CITY MANAGER EFFECTIVE 12:01 A.M. MONDAY, JANUARY 1, 2018. DUE TO THE RESIGNATION OF ARCH LISTON AS CITY MANAGER EFFECTIVE 12:00 A.M. December 31, 2017. *
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA EXTENDING THE APPOINTMENT OF THE BEARD LEGAL GROUP AS CITY SOLICITORS THRU AND INCLUDING JANUARY 2, 2018, AT WHICH TIME CITY COUNCIL WILL BE HOLDING THE MANDATED REORGANIZATION MEETING, WITH FURTHER ACTION IN APPOINTING A CITY SOLICITOR TO BE DETERMINED BY THE NEWLY ORGANIZED GOVERNING BODY.*
11. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO EXECUTE THE ATTACHED SETTLEMENT AGREEMENT WITH GAPVAX, INC. TO RESOLVE A TAX ASSESSMENT APPEAL REGARDING PROPERTY LOCATED AT 575 INDUSTRIAL AVENUE JOHNSTOWN, PA 15902, AND TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME.*
12. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE ALLOCATION OF 2017 FUNDS FROM THE GENERAL MUNICIPAL PENSION SYSTEM STATE AID PROGRAM.*
13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO TAKE ANY/ALL ACTIONS NECESSARY TO SUBMIT A GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR AN INDUSTRIAL SITE REUSE PROGRAM GRANT IN THE AMOUNT OF \$175,000.00 IN SUPPORT OF THE REMOVAL OF HAZARDOUS MATERIALS LOCATED AT 303 FRANKLIN STREET.*

14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, AUTHORIZING AND DIRECTING THE CITY MANAGER AND ECONOMIC DEVELOPMENT COORDINATOR TO TAKE ANY AND ALL ACTIONS NECESSARY TO SEEK AND OBTAIN PROPOSALS FOR THE PURPOSES OF THE SALE OF REAL PROPERTY AT 530 FRANKLIN STREET, JOHNSTOWN, PA WHICH IS NOT NEEDED FOR PUBLIC USE BY THE CITY OF JOHNSTOWN.*
15. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY SOLICITOR AND CITY MANAGER TO PREPARE AND EXECUTE, RESPECTIVELY, AN AGREEMENT FOR THE CITY TO PURCHASE PROPERTY LOCATED AT 717 PARK AVENUE, JOHNSTOWN, PENNSYLVANIA FROM THE CAMBRIA COUNTY DEVELOPMENT CORPORATION FOR PURPOSES OF FACILITATING A CITY FUNDED DEMOLITION, USE AS A CONSTRUCTION LAY-DOWN SITE, AND TO ACCOMPLISH ADDITIONAL PURPOSES FOR THE BENEFIT AND WELFARE OF THE CITIZENS OF JOHNSTOWN.*
16. A RESOLUTION OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, COMMONWEALTH OF PENNSYLVANIA AMENDING RESOLUTION NO. 9995 TO CONFIRM A LACK OF OBJECTION FROM THE PUBLIC AND ELIMINATING REFERENCES TO A PLCB HEARING IN RELATION TO THE TRANSFER OF LIQUOR LICENSE NUMBER R-8203 INTO THE CITY OF JOHNSTOWN FROM PORTAGE BOROUGH.*
17. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING TH A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY SOLICITOR AND CITY MANAGER TO DEVELOP AND EXECUTE, RESPECTIVELY, AN AGREEMENT FOR THE PURCHASE OF CERTAIN PROPERTY REFERENCED HEREIN AS 722 BARCLAY STREET, FROM FIRST SUMMIT BANK IN AN AMOUNT NOT TO EXCEED \$6,000.00, AND FURTHER AUTHORIZING THE CITY MANAGER TO UTILIZE INNER CITY SEWER FUNDS FOR SAID PURCHASE AND TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE SAME, RESPECTIVELY.*
18. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER SIGN ALL DOCUMENTS NECESSARY TO IMPLEMENT AMENDMENTS TO THE INVESTMENT MANAGEMENT AND AGREEMENT OF TRUST BY AND BETWEEN THE CITY OF JOHNSTOWN COMBINED PENSION PLAN AND STATE STREET GLOBAL ADVISERS TRUST COMPANY TO IMPLEMENT AN UPDATED FEE SCHEDULE AND CERTAIN OTHER TERMS AND CONDITIONS SPECIFIED HEREIN. *

NEW BUSINESS;

OLD BUSINESS;

1. Motion to amend Resolution No. 10000 to delete reference to October 7, 2017 as stated deadline for advertisement of City Manager position.

PUBLIC COMMENT – NON-AGENDA ITEMS (Limit 5 Minutes);

RECESS/ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING DECEMBER 13, 2017

