

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, MAY 24, 2017

ANTHONY C. TRUSCELLO COUNCIL CHAMBERS

EXECUTIVE SESSION 5:00 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 April 12, 2017
2. PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF
RECOGNITION;

PUBLIC COMMENT - AGENDA ITEMS ONLY (Limit 10 Minutes);

REPORTS;

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR
- d. CITY ENGINEER
- e. COUNCIL UPDATES
 1. Planning Commission Minutes of April 5 and May 3, 2017
 2. Letter of April 12 ,2017 from Charles Arnone

3. Communication of May 1, 2017 from Jack Williams re: Conflict Home Rule Charter v. Title 53, Chapter 31, §3132

4. Communication of May 1, 2017 from Jack Williams & Charlene Stanton re: Inner City Sewer Project Funding

5. Communication of April 28, 2017 from Jack Williams re: Resolution #9939-EADS Group Professional Service Agreement

6. Code complaints from: Joe Warhul-3; Jack Williams-5; Charlene Stanton-12;

PETITIONS;

ORDINANCES FOR FINAL READ AND ADOPTION;

1. BILL NO. 5 OF 2017 AN ORDINANCE AMENDING ORDINANCE NO. 4174, PASSED FINALLY JANUARY 23, 1980, TITLED: AN ORDINANCE PROHIBITING DISCRIMINATION IN EMPLOYMENT, HOUSING, PUBLIC ACCOMODATIONS AND OTHER AREAS OF INTERGROUP RELATIONS IN THE SOCIAL, CULTURAL AND ECONOMIC LIFE OF THE CITY OF JOHNSTOWN, REQUIRING FAIR EMPLOYMENT PRACTICES, FAIR HOUSING PRACTICES AND FAIR PUBLIC ACCOMODATION PRACTICES BY PROHIBITING DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMODATIONS BECAUSE OF RACE, COLOR, RELIGION, ANCESTRY, SEX, NATIONAL ORIGIN OR PLACE OF BIRTH; ESTABLISHING A COMMISSION ON HUMAN RELATIONS AND PRESCRIBING THE POWERS AND DUTIES THEROF; AND PROVIDING PENALTIES; BY FURTHER AMENDING CERTAIN SECTIONS TO PROHIBIT PRACTICES OF PREJUDICE AND DISCRIMINATION AGAINST INDIVIDUALS BY REASON OF SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION.(**TABLED MARCH 8, 2017**)

2. BILL NO. 12 OF 2017 AN ORDINANCE INCREASING THE INDEBTEDNESS OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, BY THE ISSUE OF A GUARANTEED REVENUE NOTE IN THE MAXIMUM PRINCIPLE AMOUNT OF \$6,082,200.00 FOR PURPOSES OF: * THE PROJECT IS LOCATED WITHIN THE MOXHAM PHASE II SANITARY STORM SEWER SEPARATION PHASE AREAS OF THE CITY OF JOHNSTOWN. THE EXISTING SANITARY SEWER SYSTEM IS MORE THAN 80 YEARS OLD CONSISTING OF VITRIFIED CLAY PIPE COLLECTION LINES THAT ARE ALLOWING GROUNDWATER (INFILTRATION) TO ENTER THE SYSTEM THROUGH NON-GASKETED PIPE JOINTS AND PIPE FAILURES. ADDITIONALLY, SURFACE WATER (INFLOW) ENTERS THE SANITARY SEWER SYSTEM BY WAY OF CONNECTIONS BETWEEN THE SANITARY AND STORM SEWERS THAT WERE MADE TO ALLEVIATE STORM SEWER BACK-UPS. THE GOAL OF THIS PROJECT IS REHABILITATION OF THE MOXHAM PHASE II SANITARY STORM SEWER SEPARATION LINES TO REMOVE INFILTRATION & INFLOW TO THE SANITARY SEWER SYSTEM BY REHABILITATING THE COLLECTION LINES AND ELIMINATING INTERCONNECTIONS BETWEEN THE SANITARY AND STORM SEWER SYSTEMS. *

ORDINANCES FOR FIRST READ;

1. BILL 13 OF 2017 AN ORDINANCE AMENDING ORDINANCE NO. 5166 passed finally on January 28, 2015, amending Ordinance No. 5152, passed finally August 13, 2014, amending Ordinance No. 5103 passed finally March 28, 2012. (and Repealed) all relating to and enacting LATERAL TESTING BY MUNICIPALITY, and as enacted by Section (4) of Ordinance No. 5166, No. 5152, and No. 5103 (**tabled April 12, 2017**)
2. BILL NO. 14 OF 2017 AN ORDINANCE AMENDING ORDINANCE NO. 4394, **TITLED:** AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMENDMENTS AND ADDITIONS TO THE GENERAL OFFENSES CODE OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH, PASSED FINALLY ON SEPTEMBER 10, 1986, BY FURTHER AMENDING CERTAIN SECTIONS OF CHAPTER 652 – OFFENSES RELATING TO PERSONS TO PROHIBIT HATE-BASED OFFENSES AGAINST INDIVIDUALS BY REASON OF ACTUAL OR PERCEIVED ANCESTRY, DISABILITY, SEX, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION.*

RESOLUTIONS;

1. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AMENDMENT TO TASK ORDER NO. 35 TO THE EADS GROUP, INC. FOR ADDITIONAL BASIC ENGINEERING SERVICES FOR THE CONSTRUCTION OF CONTRACT 2017-05 – OHIO STREET SANITARY/STORM SEWER SEPARATION PROJECT. (**Tabled April 12, 2017**)
2. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS AND TAKE ALL ACTIONS NECESSARY TO REVISE THE NUMBER OF EXISTING TASK ORDER NO. 35 FOR THE DESIGN, BIDDING, CONSTRUCTION ADMINISTRATION, PREPARATION OF FUNDING APPLICATIONS, PREPARATION OF PERMIT APPLICATIONS, ADMINISTRATION OF FUNDING, AND INSPECTION SERVICES OF THE **CENTRAL BUSINESS DISTRICT SANITARY/STORM SEWER SEPARATION PROJECT**, TO TASK ORDER NO. 40.*

3. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE TASK ORDER NO. 39 TO THE EADS GROUP, INC. FOR THE ENGINEERING SERVICES RELATED TO THE PREPARATION AND SUBMISSION OF A NOTICE OF INTENT (NOI) TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR CONTINUED COVERAGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR STORMWATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SYSTEMS (MS4s) IN THE AMOUNT OF \$25,000.00.*
4. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR A GRANT THROUGH THE PA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO ASSIST WITH REMEDIATION EFFORTS PERTAINING TO ROXBURY PARK IN THE AMOUNT OF \$250,000.00.*
5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DECLARING ITS INTENT TO FOLLOW THE SCHEDULE AND PROCEDURES FOR DISPOSITION OF RECORDS AS SET FORTH IN THE MUNICIPAL RECORDS MANUAL APPROVED ON DECEMBER 16, 2008.*
6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DESIGNATING FRANK KUSHER AS THE CITY'S OPEN RECORDS OFFICER UNDER PROVISIONS AND MANDATES OF THE COMMONWEALTH OF PENNSYLVANIA'S RIGHT TO KNOW LAW, EFFECTIVE MAY 24, 2017.*
7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING AND AUTHORIZING THE CITY MANAGER TO PLACE THE PUBLIC NOTICE OF THE CITY OF JOHNSTOWN SEEKING REQUEST FOR PROPOSALS FOR THE FORENSIC AUDITING OF ALL CITY OF JOHNSTOWN ECONOMIC DEVELOPMENT LOAN PROGRAMS, INCLUDING BUT NOT LIMITED TO (1)THE FEDERALLY FUNDED COMMUNITY DEVELOPMENT BLOCK GRANT (JOBS DEVELOPMENT REVOLVING LOAN PROGRAM; (2) THE FORMER FEDERAL URBAN DEVELOPMENT ACT GRANT (UDAG REVOLVING LOAN APROGRAM), (3) THE COMMONWEALTH OF PENNSYLVANIA ENTERPRISE ZONE PROGRAM LOAN FUNDING (A/K/A/ ENTERPRISE LOAN PROGRAM; A/K/A KEYSTONE COMMUNITIES PROGRAM AND/OR AS NAMED/DESIGNATED BY THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE CALENDAR YEARS BEGINNING ON JANUARY 1, 2002 THRU DECEMBER 31, 2002, AND EACH FOLLOWING YEAR THRU DECEMBER 31, 2014; AND FOR THE PERIOD BEGINNING ON JANUARY 1, 2015 THRU APRIL 7, 2015, WITH THE FOLLOWING STIPULATIONS AND REQUIREMENTS:*

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY SOLICITOR TO CONTACT THE COMMONWEALTH OF PENNSYLVANA'S STATE ETHICS COMMISSION SEEKING THE STATE ETHICS COMMISSION CONDUCTING OF A LOCAL ETHICS TRAINING SESSIONS FOR PERSONS APPOINTED TO THE CITY OF JOHNSTOWN ETHICS COMMISSION PRIOR TO THE CITY ETHICS COMMISSIONS FIRST OFFICAL MEETING.*
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY MANAGER TO PLACE A PUBLIC NOTICE OF THE ALL INDIVIDUAL MEMBERS OF COUNCIL SEEKING LETTERS OF INTEREST FOR CITY RESIDENTS INTERESTED IN BEING APPOINTED TO THE CITY OF JOHNSTOWN ETHICS COMMISSION PURSUANT TO THE APPROVAL OF THE MAY 16, 2017 CITY OF JOHNSTOWN BALLOT REFERENDUM QUESTION, AND MORE SPECIFICALLY, *
10. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN AN AGREEMENT WITH ABD CONSTRUCTION SERVICES LLC TO PROVIDE BUILDING CODE COMPLIANCE SERVICES TO THE CITY OF JOHNSTOWN BEGINNING JUNE 1, 2017 THROUGH DECEMBER 31, 2017 IN ORDER TO REVIEW BUILDING PERMIT APPLICATIONS AND ISSUE STATE UCC PERMITS FOR A FEE OF \$16.00 PER HOUR. *
11. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY OF JOHNSTOWN TO ENTERING INTO A MEMORANDUM OF UNDERSTANDING WITH THE JOHNSTOWN REDEVELOPMENT AUTHORITY RELATED TO DEMOLITION OF SUBSTANDARD STRUCTURES TO CREATE CONSTRUCTION LAYDOWN AREAS WITH THE CITY OF JOHNSTOWN.*
12. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL NO. 630 FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017.*

MOTIONS;

NEW BUSINESS;

OLD BUSINESS;

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

1. Bill Polacek, 84 Iron St. re: Vision 2025 Update

RECESS/ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING JUNE 14, 2017

