

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, JULY 12, 2017

ANTHONY C. TRUSCELLO COUNCIL CHAMBER

5:00 PM – TENTATIVE EXECUTIVE SESSION

5:15 PM – DEBORAH GRASS – RECOVERY PLAN

5:30 PM – WORKSHOP - CAPITAL BUDGET

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 May 24, 2017

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION;

PUBLIC COMMENT - AGENDA ITEMS ONLY (Limit 10 Minutes)

1. Bernie Krcha, 62 Osborne St. re: sewage

REPORTS;

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR
- d. CITY ENGINEER
- e. COUNCIL UPDATES

1. Code complaints from: J. Williams – 1; Thomas Bible -1; J. Warhul – 2; L. Yutzy – 1; D. Callahan – 2; C. Stanton – 20; W. Penrose - 7

ORDINANCES FOR FINAL READ AND ADOPTION;

ORDINANCES FOR FIRST READ;

1. BILL NO. 16 OF 2017 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5213 PASSED FINALLY ON DECEMBER 29, 2016 AS THEN AMENDED BY ORDINANCE 5226 PASSED FINALLY ON APRIL 12, 2017 CITY OF JOHNSTOWN BUDGET TO AMEND THE 2017 BUDGET TO PROPERLY ALLOCATE REVENUE AND EXPENSES RELATING TO THE DELINQUENT BUSINESS PRIVELEGE TAX COLLECTED TO DATE, TO REALIZE THE SHORTFALL OF REVENUE FROM THE TAX LIEN SALE, AND TO REALLOCATE FUNDS TO BE RECEIVED FROM THE 2017 LEAD BASED PAINT GRANT. *

2. BILL NO. 17 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 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. *

3. BILL NO. 18 OF 2017 AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 5166, PASSED FINALLY ON JANUARY 28, 2015, TITLED AN ORDINANCE OF THE CITY OF JOHNSTOWN ADOPTING LATERAL RESALE ORDINANCE REQUIRING LATERAL TESTING UPON SALE OR TRANSFER OF ALL REAL PROPERTY WITH STRUCTURES LOCATED THEREIN TO DETERMINE IF ILLEGAL STORM OR SURFACE WATER IS CONNECTED TO THE SANITARY SEWER, REMEDIATION OF DEFECTS, AND TO SET FOR REGULATION RELATED THERETO, AS AMENDED BY ORDINANCE NO. 5220, PASSED FINALLY ON FEBRUARY 8, 2017, TO NOW FURTHER AMEND TO DELETE SECTION 2 TITLED UNLAWFUL CONNECTIONS; AND SECTION 15 TITLED PENALTIES, DUE TO LACK OF ENFORCEMENT AND/OR SELECTIVE ENFORCEMENT AS WAS THE PURPOSE AND INTENT OF Ordinance No. 5166 when passed finally on January 28, 2015.*

4. BILL NO. 19 OF 2017 AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 5152, PASSED FINALLY ON AUGUST 13, 2014 TITLED AN ORDINANCE OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ADOPTING A SEWER USE ORDINANCE, REQUIRING THE ELIMINATION OF OVERFLOWS, AND FURTHER REQUIRING TELEVISED AND/OR PRESSURE TESTING OF ALL REAL PROPERTY WITHIN THE STRUCTURE LOCATED THEREON AND REMEDIATION OF ALL PRIVATE SIDE LATERAL LINES FAILING TO PASS SAID TESTS, IN THE EVENT SANITARY FLOWS EXCEED DEP-SPECIFIED DESIGN CRITERIA FOLLOWING PHRASE COMPLETION OF CITY SEWER CONSTRUCTION, TO NOW FURTHER AMEND TO DELETE SECTION 2 TITLED UNLAWFUL CONNECTIONS; AND SECTION 15 TITLED PENALTIES, DUE TO LACK OF ENFORCEMENT, AND/OR SELECTIVE ENFORCEMENT AS WAS THE PURPOSE AND INTENT OF Ordinance No. 5126 when passed finally on August 13, 2014.*
5. BILL NO. 20 OF 2017 AN ORDINANCE ADOPTING THE SEVENTH AMENDED MUNICIPAL RECOVERY PLAN OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, PURSUANT TO THE MUNICIPALITIES FINANCIAL RECOVERY ACT (ACT 47 OF 1987) AS AMENDED.*

RESOLUTIONS;

1. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO RETAIN KELLER ENGINEERS FOR THE LIMITED PURPOSES OF EXAMINING AND PROVIDING A PROFESSIONAL OPINION IN RELATION TO THE CIVIL ACTION FILED AT CIVIL ACTION NO. 2017-1945, IN RE: 2017 PETITIONER'S COMMITTEE AMENDING INNER-CITY SEWER LATERAL TESTING ORDINANCE NO. 5166. **(tabled June 14, 2017)**
2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, DECLARING ITS INTENT TO GRANT ACCESS TO THE TRAILS AND GREENSPACES CAPTURE TEAM FOR THE PURPOSE OF MAINTENANCE, RESTORATION AND BEAUTIFICATION OF THE EXISTING BIKE AND HIKING TRAIL ALONG THE JOHNSTOWN INCLINED PLANE RECREATIONAL TRAIL.*
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN ALL AGREEMENTS, MORTGAGES, GUARANTEES AND ALL OTHER LOAN CLOSING DOCUMENTS FOR JJG PROPERTIES LLC.*

4. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, CONFIRMING THE CITY MANAGER'S AUTHORITY TO DIRECT AND AUTHORIZE THE CITY SOLICITOR TO COMMENCE CIVIL ACTIONS IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, AND/OR ANY OTHER APPROPRIATE VENUE, TO RECOVER AMOUNTS OWED AS A RESULT OF UNPAID LOANS ISSUED BY THE CITY, AND TO SELECT THE PARTICULAR LOAN AGREEMENTS ON WHICH TO DIRECT THE CITY SOLICITOR TAKE ACTION, AT ANY GIVEN TIME.*

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR FUNDING ASSISTANCE FROM THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY IN THE AMOUNT OF \$10,900,000.00 TO BE USED TOWARDS IMPROVEMENTS TO THE INNER CITY SEWER SYSTEM IN THE KERNVILLE AREA OF THE CITY OF JOHNSTOWN.*

6. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE JOHNSTOWN REDEVELOPMENT AUTHORITY FOR PURPOSES OF COORDINATING AND SHARING IN THE COST OF RETAINING AN INDEPENDENT PROFESSIONAL ENGINEER TO STUDY AND ASSESS THE RECENT FLOODING ISSUES ARISING WITH THE CITY STORMWATER AND SANITARY SEWER SYSTEMS, AND FURTHER AUTHORIZING THE CITY MANAGER TO DEVELOP AND ISSUE A JOINT REQUEST FOR PROPOSALS FOR SUCH PURPOSES. *

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SUBMIT A LETTER OF INTENT TO THE PITTSBURGH DISTRICT OF THE UNITED STATES ARMY CORPS OF ENGINEERS REQUESTING THE CORPS OF ENGINEERS TO UNDERTAKE A STUDY TO DETERMINE THE FEASIBILITY OF POTENTIAL ALTERNATIVES FOR REPAIR AND RESTORATION OF THE LOCAL JOHNSTOWN FLOOD PROTECTION PROJECT FLOOD CHANNEL STRUCTURES.*

8. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO RETAIN VALBRIDGE PROPERTY ADVISORS TO PERFORM AN APPRAISAL ON THE GAPVAX, INC. PROPERTY IN CONNECTION WITH TAX ASSESSMENT APPEAL LITIGATION.*

9. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ACKNOWLEDGING A STATE OF EMERGENCY RESULTING FROM SEVERE STORMS AND FLOODING IN THE CITY OF JOHNSTOWN ON JUNE 15, 16, AND 17, 2017 AND FURTHER REQUESTING COUNTY, STATE, AND FEDERAL ASSISTANCE WITH RESULTING DAMAGES FROM SAME.*

MOTIONS;

NEW BUSINESS;

OLD BUSINESS;

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

1. Ed Sheehan, 100 CTC Dr. – re: Vision 2025 Update

RECESS/ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING AUGUST 9, 2017

