

JOHNSTOWN CITY COUNCIL MINUTES

Wednesday, November 14, 2018

City Council met in a stated session for the general transaction of business.

Mayor Frank Janakovic called the meeting to order at 6:00 p.m.

Reverend Sylvia King offered the invocation. The Pledge of Allegiance was recited.

Mayor Janakovic noted an Executive Session was held prior to the meeting at 5:00 p.m. with regard to threatened litigation and pending tax assessment appeals.

Elizabeth Benjamin noted the following pending active tax assessment appeals: The Lincoln Partnership, Case No. 2018-4476; Richard Somiari, Case No. 2018-4316; Walnut Med Corporation, Case No. 2017-4113; and Johnstown Medical Development Corporation, Case No. 2017-4114.

Mayor Janakovic noted a public hearing was held prior to the meeting at 5:30 p.m. with regard to Bill No. 32.

The following members of Council were present for roll call:

Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (5).

Absent: Charlene Stanton, Jack Williams (2).

Mrs. Stanton noted absence due to illness. Mr. Williams noted absence due to medical restrictions and limitations.

George Hayfield, City Manager, and Elizabeth Benjamin, Esquire, City Solicitor, were also present.

APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the September 12, 2018 Regular Meeting Minutes, the September 26, 2018 Non-Voting Budget Session, and the October 10, 2018 Regular Meeting Minutes. The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).

Nays: None (0).

Reverend King abstained from voting on the motion to approve the Minutes of the September 26, 2019 Non-Voting Budget Session due to her nonattendance at the meeting.

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

None.

PUBLIC COMMENT - AGENDA ITEMS ONLY

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council with regard to the realty transfer tax, Bill No. 37 on the agenda, and referred to the ordinance as a way to raise taxes. He expressed his opposition to the bill. He asked for Council explain the ordinance "at length."

Mr. DeBartola also addressed Council with regard to Resolution No. 5 on the agenda, which recommends that the City of Johnstown be placed under receivership. He noted his concern as to whether the City was financially solid. He requested a clarification of the City's assets.

Mayor Janakovic noted the matter would not be addressed at this meeting.

REPORT OF THE CITY MANAGER

George Hayfield, City Manager, reported the testing for mold and fungus in the Public Safety Building came back as negative. He noted the exception was the basement, which will be professionally cleaned. He noted the police and fire departments would not be relocated. The City Manager noted the cost of the study would be between \$8,100 to \$9,000.

Mayor Janakovic suggested contacting the Judge to utilize a work crew to help minimize the cost of cleanup.

REPORT BY THE MAYOR

Frank Janakovic, Mayor, noted his attendance at the Veteran's Day parade and ceremony at Central Park. He extended a special thanks to World War II Veteran Harry Plows who reinitiated the Veteran's Day Parade by walking down Main Street alone on Veteran's Day. Special thanks were also extended to Ed Wojnarowski and Marty Kuhar.

Mayor Janakovic also attended the Cambria Regional Summit at JWF for discussion of the area's economic and employment forecast, including the entire areas of Cambria and Somerset Counties.

The Mayor noted his attendance at the recent Blind Association Annual Meeting. He stated the vests worn by Pennsylvania highway workers are made there and recently the Association has been working with solar panels throughout the U.S. The Blind Association employs approximately 200 people with limited disabilities that might not otherwise have a job. Mayor Janakovic thanked the Association for their service to the community and those in need.

The Mayor recently attended the second stakeholder workshop for the Johnstown Redevelopment strategy in which 50 to 75 people also attended.

Mayor Janakovic noted an encounter with Secretary of Education, Pedro Rivera, who he stated was impressed with the work being done with special education and the implementation of the school's behavior programs.

Mr. Janakovic attended the recent opening of Career Link at the Cambria County Library, which recently relocated from Richland.

He noted proclamations were awarded for Red Ribbon Week and the NAACP Freedom Banquet.

The Mayor attended the Regional Partnership, Discover Downtown. He and other Councilmembers attended a ceremony honoring Ed Cernic, Sr. held at the Greater Johnstown Water Authority Building.

The Vision 2025 effort had the opportunity to tour the Rosedale KOZ zone. Grants are being sought for roadways to access that area to entice manufacturing businesses.

A celebration was recently held to showcase the Train Station with Josh Gallagher in attendance.

Mr. Janakovic stated the Army Corps of Engineers would add an additional \$3 million to begin work on the river walls. DCNR Secretary visited Johnstown to review ongoing projects.

The Mayor commended Discover Downtown for sponsoring the Fall Family Fun Day in Central Park.

The Annual Christmas Parade will be held this Friday, November 16, 2018, followed by the lighting of the tree and caroling in the park.

Keith Chase, Planning and Management Consultant, Gannett Fleming, presented an update on the Johnstown Economic Development strategy to all Johnstown leadership.

CITY ENGINEER

No Report.

REPORT BY THE CITY SOLICITOR

Ms. Benjamin had no report but noted amendments to be discussed later in the agenda. She will be requesting that Council approve the last resolution on the agenda contingent upon the Solicitor's review.

COUNCIL UPDATES

1. October 3, 2018 Planning Commission Minutes
2. October 12, 2018 letter from C. Stanton re: Roxbury Park Playground Safety Concerns.
3. October 17, 2018 letter from J. Williams re: 12/17/13 Agreement for Collection Services Johnstown Credit Bureau.
4. October 17, 2018 letter from J. Williams re: Resolution No. 9795 Retention of Young, Oaks & Brown auditing firm.
5. October 19, 2018 letter from J. Williams re: 2017 Audit.
6. October 19, 2018 letter from J. Williams re: City Economic Development Loan Programs.
7. November 1, 2018 letter from J. Williams re: Johnstown Planning Commission.
8. November 5, 2018 letter from J. Williams re: Proposed 2019 Budget, Wage, and Salary Ordinance.

Mr. Vitovich read a letter from the Johnstown Planning Commission into the record as follows:

Dear Mr. Williams, As you well know, the City of Johnstown Planning Commission is a nine-member board, one being a member of City Council appointed and approved by City Council. The purpose of the Planning Commission is to set frame for the City's development through policy and review of major projects. The current members of the Planning Commission take this volunteer commitment seriously. We attend additional meetings relative to the Planning Commission to gain insight from other

community groups that are assisting in moving the City forward. And at this time, we are working toward the completion of the City's comprehensive plan.

We feel that as the representative board of the City we are very singled out by you at City Council meetings for no reason. These are two examples. The Interim City Manager, Curt Davis, excused himself from the Planning Commission activities while serving in the capacity. He did so as a suggestion and approval of the entire Commission. You questioned his status.

While attempting to fill vacancies on the Commission, you referred to us as the good ole boys' appointments. We're not all boys. Most of the people on our Commission are serving on the City Commission for the first time, hardly ole boys.

You inappropriately referred to our secretary and criticize our use of the word unanimous in minutes. Unanimous means what it has always meant, that everyone in attendance has voted the same way. It would be redundant to list an individual roll call vote having already listed those Commission members in attendance. We'd waste either time or paper.

By sending this letter it is the hope of the Planning Commission that in the future you will show more respect for all individuals that are working to make the City of Johnstown a pleasant and important hub in our region.

Please permit us to go forward with our role and being treated with the same dignity that we deserve.

And it was signed by all members of the Planning Commission.

NEIGHBORHOOD LIAISONS

Mr. Britt had no report.

Reverend King noted her attendance at the Economic Summit at JWF, the Woodvale neighborhood meeting, and a seminar at the St. Paul Church in Roxbury entitled, Dismantling Racism. She also attended the NAACP Banquet.

She indicated the United Neighborhood Group scheduled for November 15, 2018, was rescheduled for November 28, 2018, at Christ Centered Community Church on Somerset Street.

Reverend King stated a meeting would be held at the Greater Prospect Store on December 4, 2018.

Light-up Night will be held at the ACRP building on Franklin Street in Kernville on December 7, 2018. The tree will be decorated on Saturday, November 24, 2018, for anyone interested in participating. Reverend King

noted a Holiday House Decorating Contest would also be held with the winner to be announced during Light-Up Night.

Mrs. Mock also noted her attendance at the NAACP Banquet.

The West End Improvement Group held a basket party on November 11, 2018, at St. Therese's Church Hall. Additional cameras, as well as additional beautification projects, would be funded by the proceeds from the party.

Mrs. Mock noted a Christmas Parade and tree lighting to be held on December 4, 2018. Donations for the West End Food Pantry and the Humane Society will be accepted at that time. She noted a decorating contest would also be held.

Mrs. Mock noted the attendance of many residents at the recent Woodvale neighborhood meeting. Renovations to the playgrounds were discussed. JWF and CamTran are eager to help with the projects. DCNR grant funding would be sought.

A Recreation Commission will be organized through the United Neighborhood Association. Fielders Choice in the West End and former recreation director for the City of Johnstown will also be involved with the Recreation Commission. The Commission will be in contact with the City Manager and Public Works with regard to issues at the Point Stadium.

Reverend King commented that John Orlosky is the head of the Recreation Commission.

Mr. Vitovich commented that, in addition to his previous report, the Public Works Department has been retrofitting City-owned street lights and buildings with LED replacement bulbs, patching streets, maintaining sanitary sewer lines, repairing inlets, and picking up yard waste throughout the City. He noted the telephone number to call for a pickup as 533-2089. Mr. Vitovich commented that the salt trucks are equipped and ready to go.

Mrs. Mock commented that the Act 47 plan does mention the City's attempt to sell assets, which she noted does not mean the City is in financial straits. She stated proceeds from sells would be applied toward debt and pension liabilities, which makes for a "sound fiscal responsible body managing the City."

Mayor Janakovic noted that valuation studies were conducted on the properties and each would be handled individually.

PETITIONS

None.

ORDINANCES FOR FINAL READ

BILL NO. 25 OF 2018, AN ORDINANCE TO PARTIALLY VACATE POPPY ALLEY FROM 143 LORAIN STREET TOWARDS CROYLE STREET TO THE END OF POPPY ALLEY IN JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE.

Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Britt (5).

Nays: None (0).

BILL NO. 27 OF 2018, AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, COUNTY OF CAMBRIA, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 5246 PASSED FINALLY ON DECEMBER 13, 2017 AND AS AMENDED BY ORDINANCE NO. 5251 ON MARCH 15, 2018, AND AMENDED BY ORDINANCE NO. 5254 ON MAY 9, 2018, THE CITY OF JOHNSTOWN 2018 WAGE AND SALARY ORDINANCE, TO AMEND THE 2018 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.

Mr. Vitovich made a motion to approve. Mrs. Mock seconded the motion.

City Manager Hayfield explained the ordinance eliminates three positions within the Department of Community and Economic Development and replaces the positions with two positions, which saves approximately \$45,000.

The motion passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Britt,
Mayor Janakovic (5).

Nays: None (0).

BILL NO. 30 OF 2018, AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5245 PASSED FINALLY DECEMBER 13, 2017 TO AMEND THE 2018 BUDGET, MORE SPECIFICALLY, REVENUE AND EXPENDITURES BUDGET FOR THE SEWER RENTAL UPGRADE MAINTENANCE REPAIR FUND, BUDGET EXHIBIT (A) TO REFLECT INCREASED SEWER FUND BUDGET REVENUE DUE TO THE HIGHER PROJECTED REVENUES FROM SANITARY SEWER UPGRADE CHARGE FEES AND INCREASE OF NONELIGIBLE PENNVEST-RELATED PAVING EXPENDITURE LINE ITEM AS DETAILED. AND TO FURTHER REPLACE LANGUAGE REFERENCING THESE MATTERS BEING RESOLVED TO INSTEAD STATE THAT THESE MATTERS ARE ORDAINED AND ENACTED AND CHANGED AN OTHER LANGUAGE REFERENCING RESOLUTION TO INSTEAD REFERENCE AN ORDINANCE.

Mrs. Mock made a motion to approve. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Britt, Mayor Janakovic,
Reverend King (5).

Nays: None (0).

BILL NO. 31 OF 2018, AN ORDINANCE OF THE CITY OF JOHNSTOWN CHANGING TRAFFIC FLOW FROM ONE WAY TO TWO WAYS ON BAUMER STREET FROM SPRUCE STREET TO TEAK STREET.

Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).

Nays: None (0).

BILL NO. 32 OF 2018, AN ORDINANCE AMENDING ORDINANCE NO. 5245, PASSED FINALLY ON DECEMBER 13, 2017 AND REPEALING AND REPLACING ORDINANCE NO. 5250 PASSED FINALLY ON MARCH 15, 2018; NO. 5253, PASSED FINALLY ON MAY 9, 2018; AND NO. 5257 PASSED FINALLY ON JULY 11, 2018 IN ORDER TO PROVIDE FOR THE PROPER ALLOCATION OF REVENUE AND EXPENSES RELATED TO THE BROAD STREET SEWER PROJECT, SHPO HISTORICAL SURVEY, SALARY CHANGES ARRIVING FROM THE ADOPTION OF

COLLECTIVE BARGAINING AGREEMENTS, ADJUST THE EXECUTIVE SECRETARY/CITY CLERK POSITION AND DEPARTMENT, REALIZE A SHORTFALL OF REVENUE FROM THE RECREATION FUND, REALLOCATE FUNDS REFLECTING LACK OF RECEIPT OF 2018 ECONOMIC DEVELOPMENT ASSISTANCE GRANT, AND TO ALLOCATE REIMBURSEMENT FUNDS TO THE 2018 UDAG BUDGET, FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING.

Mrs. Mock made a motion to table. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).
Nays: None (0).

BILL NO. 35 OF 2018, 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 1ST, 2019.

Mayor Janakovic explained that the bill would be based on the projected 2019 budget. Ms. Benjamin suggested tabling the matter pending introduction of further amendments to the bill.

Mr. Britt made a motion to table. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).
Nays: None (0).

BILL NO 26 OF 2018, 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 2, 1029.

The matter would be tabled pending introduction of further amendments to the bill.

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Mr. Vitovich made a motion to table. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).
Nays: None (0).

ORDINANCES FOR FIRST READ

BILL NO. 28 of 2018, AN ORDINANCE DIRECTING THE CAMBRIA COUNTY BOARD OF ELECTIONS TO PLACE ON THE MAY 2019 MUNICIPAL PRIMARY ELECTION BALLOT FOR THE CITY OF JOHNSTOWN, THE BALLOT REFERENDUM QUESTION FOR CONSIDERATION BY THE REGISTERED VOTERS OF THE CITY OF JOHNSTOWN, WHICH IF RECEIVING A MAJORITY OF THE VOTES CAST, ESTABLISHES A GOVERNMENTAL STUDY COMMISSION, AND FURTHER, THE ELECTION OF SEVEN (7) GOVERNMENTAL STUDY COMMISSIONERS DURING THE MAY 2019 MUNICIPAL PRIMARY ELECTION, PURSUANT TO THE COMMONWEALTH OF PENNSYLVANIA 53 Pa. C.S.CHAPTERS 29 (HOME RULE), 30, (OPTIONAL PLANS) & 31 (OPTIONAL PLANS) HOME RULE CHARTER AND OPTIONAL PLAN LAWS (Tabled 10/10/18).

The bill remained tabled.

BILL NO. 29 OF 2018, AN ORDINANCE AMENDING ORDINANCE NO. 5102 PASSED 3-28-12 AND/OR ANY AND ALL SUBSEQUENT AMENDMENTS, AND THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN; CHAPTER 1484 TITLED: RESIDENTIAL RENTAL PROPERTY REGISTRATION AND MORE SPECIFICALLY, SUBSECTION 1484.05, REGISTRATION AND LICENSING OF RESIDENTIAL RENTAL PROPERTIES BY ADDING SUBSECTION 1484.05.01 TITLED: POSTING OF NON-COMPLIANT PROPERTY REGISTRATION AND INSPECTION REQUIREMENTS (Tabled 10/10/18).

The bill remained tabled.

BILL NO. 37 OF 2018, AN ORDINANCE AMENDING ORDINANCE 4438, PASSED SEPTEMBER 23RD, 1987 AND KNOWN AS THE "REALTY TRANSFER TAX ORDINANCE OF THE CITY OF JOHNSTOWN," AS CODIFIED AT CHAPTER 88 OF THE CITY OF JOHNSTOWN, PENNSYLVANIA CODE OF ORDINANCES BY INCREASING THE

RATE OF TAX FROM ONE PERCENT (1%) TO TWO AND ONE-HALF (2.5%) COMMENCING FEBRUARY 1, 2019.

Ms. Benjamin explained that the original Bill No. 37 distributed to Council was subsequently updated with changes recommended by the Act 47 Recovery Team. The newer version of Bill No. 37 was distributed to Council prior to the meeting and would not change the formal subject, but added paragraphs with statutory references and clarified an effective date of January 1st, 2019. A motion to amend Bill No. 37 would be needed in order to replace the bill with the version distributed by the Solicitor.

Mrs. Mock made a motion to amend and adopt as amended. The motion was seconded by Reverend King.

Mrs. Mock suggested that the ordinance be amended so it does not sound like a tax increase. Ms. Benjamin explained it is a percentage based on real estate but is more commonly identified as a transfer fee.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Britt, Mayor Janakovic,
Reverend King (5).
Nays: None (0).

RESOLUTIONS

Resolution No. 10126

A RESOLUTION OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2018 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES, AND MORE SPECIFICALLY, BUDGET EXHIBIT (A) AS DETAILED.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).
Nays: None (0).

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA DIRECTING THE CITY MANAGER WITH THE ASSISTANCE OF THE CITY SOLICITOR TO PROCEED WITH AND ADVERTISE FOR REQUEST FOR PROPOSALS FOR THE SALE OF CITY-OWNED TIMBER AS IDENTIFIED IN THE TIMBER INVENTORY/APPRaisal OF AUGUST 2015 PREPARED BY MICHAEL BARTON, FORESTRY CONSULTING AND THE EADS GROUP (Tabled 10/10/18).

Mrs. Mock made a motion to remove from table. Mr. Vitovich seconded the motion.

Ms. Benjamin explained that a vote in favor means Council would be proceeding with the request for proposals. She recommended that the ordinance not be modified, but suggested Council receive a proposal from Michael Barton. Mrs. Mock stated the ordinance should be simplified. Mayor Janakovic suggested a new or separate resolution.

Mrs. Mock made a motion to approve. The motion was seconded by Mr. Vitovich and failed by the following vote:

Yeas: None (0).

Nays: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING THE CITY MANAGER AND THE CITY SOLICITOR TO SEEK REQUEST FOR PROPOSALS (RFP) AND/OR QUOTES FROM AT LEAST (2) QUALIFIED TESTING PERSONS, FIRMS AND LLC FOR FURTHER TESTING AND MONITORING OF THE ENTIRE PUBLIC SAFETY BUILDING, INCLUDING ALL FLOORS AND BASEMENTS FOR PRESENCE OF MOLD AND OTHER HAZARDOUS CONDITIONS, INCLUDING BUT NOT LIMITED TO AIR QUALITY, ELECTRICAL, FLOODING, ROOF STORM AND RAIN WATER INFILTRATION INTO ALL AREAS OF THE BUILDING AND TO DIRECT THE CITY MANAGER TO CLOSE AND RESTRICT TOTAL ACCESS TO THE PUBLIC SAFETY BUILDING BY JOHNSTOWN POLICE PERSONNEL, POLICE RECORDS PERSONNEL, JOHNSTOWN FIRE PERSONNEL,

JOHNSTOWN REDEVELOPMENT AUTHORITY PERSONNEL AND
THE GENERAL PUBLIC.

Mr. Britt made a motion to approve. The motion was seconded by Mrs. Mock and failed by the following vote:

Yeas: None (0).

Nays: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).

Resolution No.

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, DIRECTS THE CITY MANAGER THROUGH THE ASSISTANCE OF THE BEARD LEGAL GROUP, CITY SOLICITORS, TO CONTACT THE CITY OF JOHNSTOWN'S INSURANCE CARRIERS REGARDING THE CITY'S ABILITY TO INSURE CONTINUING LIABILITY COVERAGES WITH REQUIRED STANDARDS FOR THE SAFETY OF PERSONS USING AND VISITING ANY OF THE (14) STATED AND ACKNOWLEDGED CITY PLAYGROUNDS AS PUBLISHED ON THE CITY'S INTERNET WEBSITE, INCLUDING ONSITE COMPLIANCE INSPECTIONS BY AN INDEPENDENT QUALIFIED PERSONS, FIRMS AND LLC.

The resolution failed for lack of a motion.

Resolution No.

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, SEEKING THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA'S DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT REQUESTING, PURSUANT TO THE ACT OF JULY 10, 1987, (P.L. 246, NO. 47, KNOWN AS THE MUNICIPALITIES FINANCIAL RECOVERY ACT) TO RECOMMEND THE CITY OF JOHNSTOWN BE PLACED UNDER RECEIVERSHIP PURSUANT TO THE "ACT".

The resolution failed for lack of a motion.

Resolution No. 10127

A RESOLUTION OF CITY COUNCIL FO THE CITY OF JOHNSTOWN, A
RESOLUTION OF THE CITY OF JOHNSTOWN, PENNSYLVANIA,

AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH A. LIBERONI, INC. AWARDED CONTRACT 2017-09 FOR THE CONSTRUCTION OF THE KERNVILLE SANITARY/STORM SEWER SEPARATION PROJECT.

Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Britt, Mayor Janakovic,
Reverend King (5).
Nays: None (0).

Resolution No. 10128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO SUBMIT THE NECESSARY PAPERWORK ON BEHALF OF SNYDER ENVIRONMENTAL SERVICES, INC. TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION IN ORDER TO SUPPLY THE HIGHWAY RESTORATION AND MAINTENANCE BOND FOR THE KERNVILLE SANITARY/STORM SEWER SEPARATION PROJECT CONTRACT 2017-08.

Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).
Nays: None (0).

Resolution No. 10129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH SNYDER ENVIRONMENTAL SERVICES, INC. AWARDED CONTRACT 2017-08 FOR THE CONSTRUCTION OF THE KERNVILLE SANITARY/STORM SEWER SEPARATE PROJECT.

Mrs. Mock made a motion to approve. The motion was seconded by Mr. Vitovich and passed by the following vote:

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Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Britt (5).
Nays: None (0)

Resolution No. 10130

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 A PRELIMINARY APPRAISAL REVIEW ON THE SALEM
FAMILY LIMITED PARTNERSHIP PROPERTY IN CONNECTION WITH
TAX ASSESSMENT APPEAL LITIGATION.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock
and passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Britt,
Mayor Janakovic (5).
Nays: None (0).

Resolution No. 10131

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 A PRELIMINARY APPRAISAL REVIEW ON THE RICHARD
I. SOMIARI AND STELLA A SOMIARI PROPERTY IN CONNECTION
WITH TAX ASSESSMENT APPEAL LITIGATION.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock
and passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Britt, Mayor Janakovic,
Reverend King (5).
Nays: None (0).

Resolution No. 10132

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 WALNUT MANAGEMENT CORPORATION, TO
RESOLVE A TAX ASSESSMENT APPEAL REGARDING PROPERTY

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LOCATED AT 132 WALNUT STREET, JOHNSTOWN, PA, 15901, AND
TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock
and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).

Nays: None (0).

Resolution No. 10133

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 JOHNSTOWN MEDICAL DEVELOPMENT
CORPORATION TO RESOLVE A TAX ASSESSMENT APPEAL
REGARDING PROPERTIES LOCATED AT 321 MAIN STREET,
JOHNSTOWN, PA, 15901 AND 332 LOCUST STREET, JOHNSTOWN,
PA, 15901 AND TO TAKE ANY/ALL ACTIONS NECESSARY TO
EFFECTUATE SAME.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock
and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).

Nays: None (0).

Resolution No. 10134

A RESOLUTION OF THE CITY OF JOHNSTOWN, PENNSYLVANIA,
SUPPORTING AN INTERGOVERNMENTAL AGREEMENT IN THE
FORM OF ADMINISTRATIVE AGREEMENT OF UNDERSTANDING
WITH REDEVELOPMENT AUTHORITY OF CAMBRIA COUNTY
(RACC) TO PROVIDE LIMITED REDEVELOPMENT SERVICES IN
WHICH THE CITY WILL RECEIVE A SALARY REIMBURSEMENT FOR
THE WORK PERFORMED BY STAFF.

Ms. Benjamin explained approval of the resolution would be contingent upon
Solicitor review of the agreement.

Mrs. Mock made a motion to approve. The motion was seconded by Mr. Vitovich.

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Mayor Janakovic explained this is with regard to any work the City employees would do through the Cambria County Redevelopment Authority.

The motion passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).
Nays: None (0).

MOTIONS

None.

NEW BUSINESS

None.

OLD BUSINESS

None.

PUBLIC COMMENT - NONAGENDA ITEMS

John DeBartola, 1197 Bedford Street, Johnstown, commented that the selling off assets would create one bill to pay off another. He noted his disappointment that no meeting had been scheduled to discuss poverty, crime, drugs and blight.

Mr. DeBartola stated, after research, he learned the Johnstown Housing Authority has a \$7 million surplus; Johnstown Redevelopment Authority has a \$2.7 million surplus; and the Greater Johnstown Water Authority unofficially has a \$6 million to \$7 million surplus. He suggested, since a meeting cannot be arranged, that action be taken on the boards, including a motion to deconcentrate poverty created by public housing units, change the nature of the Johnstown Housing Authority, and dissolve the Johnstown Redevelopment Authority and the Greater Johnstown Water Authority. He noted these authorities are "creating huge surpluses as the City struggles to maintain services." He referred to City Council as having the "ultimate authority" and

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can motion to change the nature of the board and take back control of the money.

NEXT SCHEDULED MEETINGS:

Non-Voting Workshop changed to Tuesday, November 27, 2018, at 5:00 p.m.
followed by a Special Meeting at 6:00 p.m.
Wednesday, December 12, 2018 at 6:00 p.m. (Regular Meeting).

ADJOURNMENT

There being no further business, the meeting adjourned at 7:02 p.m.