

JOHNSTOWN CITY COUNCIL MINUTES  
Wednesday, November 22, 2016

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. Interim City Manager Melissa Komar offered the invocation, and the Pledge of Allegiance was recited.

Mayor Janakovic noted an Executive Session was held on November 15, 2016, and also prior to the commencement of this meeting with regard to litigation and personnel issues.

The following members of Council were present for roll call:

Mayor Janakovic, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams (6).

Absent: Mr. Johncola (1).

Interim City Manager Melissa Komar and Elizabeth Benjamin, Solicitor, were also present.

APPROVAL OF MINUTES

None

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION:

None.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

None.

REPORT BY CITY MANAGER

Melissa Komar, Interim City Manager, reported the Pennsylvania State Historic Preservation Office will be visiting Johnstown on November 30, 2016, and an open house will be held from 3:30 to 7:30 p.m. There will be a meeting, the sites will be visited, and a new plan will be discussed with regard to rezoning for historic districts.

**Kathy Kennenshraft** and Firefighter Phil Moyer performed a rescue at a recent Grove Avenue house fire. Mrs. Komar indicated a house fire was quickly contained on Confer Avenue and later that day a massive fire was prevented on Oak Street.

There was a distribution of Coats for Kids at East Side Elementary. Coats were reserved for West Side students.

Officer Justin Green was presented an accommodation for his actions during a recent house fire on November 14, 2016. Officer Green placed himself at risk after attempting to rescue an individual from a burning structure.

Mrs. Komar reported the District Attorney completed her review of the investigation relating to the officer-involved shooting in the West End in March. The DA found that the amount of force used was reasonable and appropriate under the law.

She indicated the Police Department was currently investigating two homicides, and an arrest had been made in the Hornerstown homicide.

Retiree healthcare expenses had been reconciled and debited into the correct expenditures beginning January 1, 2017. Mrs. Komar stated Finance reviewed the Department of Labor's updated FLSA changes to become effective 12/1/16.

Mrs. Komar noted that Public Works and Finance both met with PennDOT with regard to liquid fuels. Public Works assisted with the Christmas festivities in Central Park and are preparing for the winter weather.

#### REPORT BY THE MAYOR

Frank Janakovic, Mayor, thanked Discover Downtown, all sponsors and volunteers for the recent Christmas Parade and light-up night. The Mayor noted this was "by far the largest crowd I've ever seen downtown." He suggested visiting the website to see the approximately 7,000 or 8,000 people that were downtown.

The Mayor noted a Veteran's Day Parade was held on November 11, 2016. He stated this year's parade honored the 25 Anniversary of the Persian Gulf War and the 20th Annual Johnstown Veteran's Day Parade. He offered special thanks to Ed Wojnaroski and Marty Kuhar for their efforts and offered a special thank you to all the veterans.

The Mayor offered thanks to the American Legion on Main Street for renovations made to the building and for the placement of the flags in front of their building. He offered a special thanks to Chuck Arnone, the veterans, and the Johnstown School District who made the plaques for the different branches of the Armed Services.

Mayor Janakovic congratulated Darryl DiOrio and Jackie Kulback, Gautier Steel, on their recent award of a \$2 million grant for the titanium mill, which will possibly provide another 40 jobs in our area. He stated that Governor Wolf will visit the mill.

The Mayor met with Governor Wolf, along with Cambria, Somerset, Indiana, Blair and Westmoreland County Commissioners, City Mayors and City Managers and Superintendents. He noted the meeting was held to discuss property tax reform.

Mayor Janakovic offered "get well wishes" to Dorothy Thomas, who was injured in a recent fire. He noted a Go Fund Me account for donations to assist her financially. He noted Dorothy was on the previous city manager selection committee.

Mrs. Mock thanked the residents and businesses who donated money to provide cameras around the park to help with vandalism.

#### REPORT BY THE CITY SOLICITOR

Elizabeth Benjamin, Esquire, City Solicitor, noted the majority of her report was covered during the Executive Session. She reported on consulting with Mrs. Komar with regard to amending an ordinance and will offer a report at the City's next meeting.

Mr. Williams noted as previously discussed that the recovery plan will be ending the end of the year. He stated that in his opinion to collect the resident dedicated earned income tax going forward, the recovery plan must be amended and court approved. He noted that Council will not have the authority to collect the tax if the recovery plan is amended in February of 2017. Ms. Benjamin will follow up on the matter.

Mr. Williams discussed Ms. Grass's conversation relating to consolidating the recreation fund into the general fund. Mr. Williams noted that in 2009 Council created the sewer fund maintenance upgrade and established a Point Stadium Fund, which was changed to Recreation Fund. He reminded Council

that the goal was to generate revenue in the Point Stadium that would reduce the need to transfer money from the general fund. He asked Council to "keep in mind" that that is the Point Stadium Fund. There was further discussion regarding keeping the Point Stadium as a separate fund.

Mrs. Stanton inquired as to a resident's interest in buying an alley off of Somerset Street. Mrs. Komar recently met with the resident regarding the matter.

Mrs. Komar updated Mrs. Stanton and Councilmembers on her discussion with the County concerning the sale of the Washington Street Parking Lot.

### REPORT BY THE CITY ENGINEER

Steve Sewalk referred Councilmembers to his report for further discussion. Most of the work has been completed in the Cambria City and Coopersdale areas. Mr. Sewalk noted that Liberoni was still working in the Morrellville Section and has approximately another month of pipe installation, which will be followed by paving in the spring.

Mr. Sewalk indicated the Hornerstown project had been started. The Eighth Ward project will start with the new year.

Mr. Sewalk discussed the flow monitoring procedures. He referred members to the schedule included in his report with regard to the flow monitoring status in Roxbury and other neighborhoods. Councilmembers had questions for Mr. Sewalk.

Mr. Sewalk discussed the sanitary sewer overflows (SSOs). He noted they are co-owned by the City and JRA. Mrs. Stanton offered comments as to her understanding of the sewage project as well as the overflow monitoring. Mrs. Mock stated the monitoring should not be hurried along too quickly in order to prevent problems later on. Mr. Sewalk noted the biggest problems occur in the spring. Mayor Janakovic suggested a reasonable timeframe be placed on the monitoring project. Mrs. Stanton had further comments regarding the Roxbury rainfall monitoring. Mr. Sewalk further discussed the matter to clear any confusion.

Mayor Janakovic requested Mr. Sewalk submit copies of charts and graphs for Council's review. Mr. Sewalk had been in contact with DEP regarding the matter.

COUNCIL COMMITTEE REPORTS/NEIGHBORHOOD REPORTS

Mr. Vitovich noted the Johnstown Housing Authority plans on installing more lighting and cameras throughout the housing complex.

Mr. Vizza - No Report.

Mr. Williams - No Report.

Mrs. Mock reported the West End Improvement Group recently held a basket party to raise money for cameras and additional items. She noted businesses will be solicited for additional funds. Cameras will be installed at the Oakhurst School Playground as well as the Dorothy Avenue Playground.

Mrs. Stanton noted her attendance at a recent community gathering held on Edith Avenue and Leroy Street in honor of the man who was killed nearby.

COUNCIL UPDATES:

Code Complaints: Charlene Stanton - 8.

PETITIONS

None.

ORDINANCES FOR FINAL READ AND ADOPTION:

THE FOLLOWING ORDINANCES REMAIN TABLED:

BILL NO. 41 OF 2016, 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, 2017 (Tabled November 9, 2016).

BILL NO. 42 OF 2016, 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, 2017 (Tabled November 9, 2016).

ORDINANCES FOR FIRST READ

THE FOLLOWING ORDINANCE REMAINS TABLED:

BILL NO. 40 OF 2016, AN ORDINANCE BY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, PLACING ON THE MAY 17, 2017 PRIMARY ELECTION BALLOT FOR THE CITY OF JOHNSTOWN THE VOTER REFERENDUM QUESTION FOR CONSIDERATION BY THE CITY OF JOHNSTOWN ELECTORATE TO REDUCE THE NUMBER OF ELECTED COUNCILPERSONS FROM SIX (6) COUNCILPERSONS AND ONE (1) MAYOR TO FOUR (4) COUNCILPERSONS AND ONE (1) MAYOR EFFECTIVE JANUARY 1, 2018 (Tabled October 26, 2016).

RESOLUTIONS

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA DIRECTING THE INTERIM CITY MANAGER AND THE CITY SOLICITOR TO PREPARE, DRAFT A WRITTEN CORRESPONDENCE FOR SIGNATURES OF ALL MEMBERS OF JOHNSTOWN CITY COUNCIL TO THE SURROUNDING MUNICIPALITIES KNOWN TO BE PART OF THE GREATER JOHNSTOWN AREA TO DETERMINE IF THERE EXISTS INTEREST BY THE RESIDENTS AND ELECTED OFFICIALS OF THE RESPECTIVE MUNICIPALITIES AS TO THE FEASIBILITY OF ANY POSSIBLE MUNICIPAL CONSOLIDATION (Tabled October 12, 2016).

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

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,  
Mayor Janakovic, Mrs. Mock, (6).  
Nays: None (0).

Mrs. Stanton made a motion to approve the resolution. The motion was seconded by Mr. Vizza and failed by the following vote:

Yeas: Mr. Vizza, Mr. Williams, Mrs. Stanton (3).

Nays: Mr. Vitovich, Mayor Janakovic, Mrs. Mock (3).

Mrs. Mock contacted Judge Krumenacker's Office but had not yet received a response.

Resolution No. 9902

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN A CONTRACT WITH CARGILL, INC., DEPARTMENT OF GENERAL SERVICES COSTARS PROGRAM, 24950 COUNTRY CLUB BOULEVARD, SUITE 450, NORTH OLMSTED, OHIO, 44070, TO PROVIDE AND DELIVER TO THE CITY ROCK SALT FOR THE CALENDAR YEAR AUGUST 2016 THROUGH AUGUST 2017.

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

Yeas: Mr. Vizza, Mr. Williams, Mayor Janakovic, Mrs. Mock, Mrs. Stanton, Mr. Vitovich (6).

Nays: None (0).

Resolution No. 9903

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN A CONTRACT WITH HOMER R. SLEEK AND SONS, INC., 132 MOSSY LANE, JOHNSTOWN, PA, 15905, TO PROVIDE AND DELIVER TO THE CITY ANTI-SKID MATERIAL AS4 SLAG FOR THE CALENDAR YEAR 2016-2017.

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

Yeas: Mr. Williams, Mayor Janakovic, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza (6).

Nays: None (0).

Resolution No. 9904

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2016 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES, AND MORE SPECIFICALLY, BUDGET EXHIBIT A AS DETAILED BELOW.

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

Mr. Williams noted for the record a memo from City Manager Komar indicating that this does not require a resolution. It was noted the closing of the loan has not yet occurred. Ms. Benjamin confirmed it has been received and will be processed within a 20-day window. Mr. Williams recommended that Mr. Keith prepare a budget amendment for the use of those funds.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams (6).

Nays: None (0).

Resolution No. 9905

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE AND THE INTERIM CITY MANAGER TO TAKE ALL ACTION NECESSARY TO SEEK AND OBTAIN PROPOSALS FOR THE BORROWING OF 2017 TAX ANTICIPATION NOTE, LINE OF CREDIT IN AN AMOUNT NOT TO EXCEED \$1.5 MILLION AND FOR CLOSING NO LATER THAN DECEMBER 31ST, 2016.

Mr. Williams made a motion to approve the resolution. The motion was seconded by Mr. Vitovich.

Mr. Williams requested the verification of the amount of any bills from 2016 that will be carried into 2017, and that if there is, the amount should be part of the expenditure in the budget for 2017.

The motion passed by the following vote:



Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,  
Mayor Janakovic (6).  
Nays: None (0).

MOTIONS:

None.

NEW BUSINESS

Mr. Vizza on behalf of himself and the City wished the Greater Johnstown High School head football coach Tony Penna, Jr., staff, and players continued success on their football playoff quest.

OLD BUSINESS

Mayor Janakovic commented that the recent article in the newspaper with regard to the timbering was inaccurate. Mrs. Komar clarified that 49 acres in the Belmont area will be the first site with an appraisal of approximately \$47,000.

PUBLIC COMMENT ON NONAGENDA ITEMS

Ed Sheehan, President and CEO, Concurrent Technologies, Corporation, 100 CTC Drive, Johnstown, updated Council with regard to the 2025 Vision Program. He stated the Army Corp of Engineers was currently studying watershed, flood control and flood plain conditions to determine the amount and type of flood protection that will best serve the Johnstown area. When the study is completed in 2018, the Corp will offer leadership on the appropriate steps and actions to modify the river system.

Over 200 individuals participated in the recent river wall charrette organized by the Vision 2025 team. He noted a number of low cost or no cost ideas were developed to enhance and access the rivers.

Mr. Sheehan indicated that over the past three months the Vision committee in partnership with Discover Downtown and the Community Foundation for the Alleghenies awarded \$5,000 in mini grants to Vision 2025 capture teams. He explained these awards were made as a community scale investment into

Tuesday, November 22, 2016  
Stated Meeting, continued

10 of 10

Johnstown to accelerate projects, including street scape enhancements in Cambria City, trail improvements along the Mayer Trail, and beautification projects downtown.

The Vision committee is organizing an end of year progress party to celebrate Vision 2025 success in 2016, which will be held at Ace's on December 15, 2016, from 5:30 p.m. to 7:00 p.m.. He invited all members of Council to attend.

Mr. Sheehan noted the Western Pennsylvania Conservancy Tree Inventory Program is underway, which was funded by the Community Foundation for the Alleghenies. After the inventory is completed, the group will make recommendations as to where trees could be planted to help improve the neighborhoods.

Mr. Sheehan noted that there are currently over 800 people in the Vision 2025 organization. He further discussed improvements made as a result of grants.

Mrs. Stanton commented regarding the Pennsylvania Yellow Dot Program.

The next regular meeting is scheduled for December 14, 2016 at 6:00 p.m.

There being no further business, the meeting was adjourned at 7:20 p.m.