

JOHNSTOWN CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, December 12, 2018

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

Mayor Frank Janakovic called the meeting to order at 6:24 p.m.

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

The following members of Council were present for roll call:

Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich, Mr. Williams (7).

George Hayfield, City Manager; Elizabeth Benjamin, Esquire, City Solicitor; and
Robert Ritter, Finance Director, were also present.

APPROVAL OF MINUTES

October 24, 2018 Non-Voting Session - No vote required.

Mr. Vitovich made a motion to approve the November 1, 2018 Special Council 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).

Present: Mrs. Stanton, Mr. Williams (2).

Mrs. Mock made a motion to approve the November 14, 2018 Public Hearing Minutes. The motion was seconded by Mr. Vitovich and passed by the following vote:

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

Nays: None (0).

Present: Mrs. Stanton, Mr. Williams (2).

Mr. Vitovich made a motion to approve the November 14, 2018 Regular Council Meeting Minutes. The motion was seconded by Mrs. Mock and passed by the following vote:

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Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Britt,
Mayor Janakovic (5).
Nays: None (0).
Present: Mrs. Stanton, Mr. Williams (2).

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

None.

Mr. Williams offered to withdraw Bill Nos. 38 through 47 and address them later if Bill No. 32 would move forward in proper order. Mr. Williams stated part of the ordinance wording was left off the bill when the bills were put on the agenda. Ms. Benjamin explained the bills would be withdrawn from this evening's agenda, but Mr. Williams would be reserving the right and requesting the bills to be placed on the next meeting's agenda, at which time he would intend to permanently withdraw the bills in writing.

PUBLIC COMMENT - AGENDA ITEMS ONLY

None.

REPORTS

CITY MANAGER

No report.

Mrs. Stanton referred to a list of questions for the City Manager, which she stated have remained unanswered. She questioned whether letters were sent to the owners of vacant properties requesting payment of the vacant property fees. Mr. Hayfield stated approximately 550 letters were dispersed resulting in payment of the fee being paid by three property owners.

Mrs. Stanton made a motion to request that the City Solicitor proceed with legal action against the noncompliant property owners based on the vacant property ordinance. Mr. Williams seconded the motion.

Reverend King suggested that proper addresses be obtained before moving forward on the matter. Mrs. Mock commented that magistrate fees and postage would be expenses to consider.

Mr. Williams suggested the list be updated and a timetable be attached.

Mrs. Mock requested the City Manager provide an updated list regarding the matter.

Mrs. Stanton made a motion to request that the City Solicitor proceed with legal action against the noncompliant property owners based on the vacant property ordinance starting first with the local owners.

Reverend King suggested contacting the County for assistance in the matter.

Mr. Williams suggested that administration be given until March 30, 2019, to provide additional information regarding the matter.

Mrs. Stanton withdrew her motion.

Mr. Williams made a motion to request that the City administration provide additional information regarding the matter no later than March 30, 2019, after which the Solicitor would be contacted regarding further action. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams, Mr. Britt,
Mayor Janakovic, Reverend King (7).

Nays: None (0).

Mrs. Stanton further inquired as to the status of the property at 404 Oak Street. City Manager Hayfield stated the property is scheduled to be demolished by the Johnstown Redevelopment Authority.

Mrs. Stanton inquired as to the status of the Point Stadium management. Mr. Hayfield stated RFPs were not yet sent as he was waiting for a response from the asset valuation team with regard to proper procedures. Mrs. Mock had requested similar information with regard to the Pasquerilla Conference Center and noted a report may be forthcoming reflecting all valuations. It was noted that a copy of the Executive Summary would soon be distributed to Councilmembers.

Mrs. Stanton commented that at the October 10, 2018 meeting the City Manager was directed to contact Peoples Natural Gas (PNG) with regard to coordinating a digging schedule with the sewage contractors and then to share the cost of

paving the road. Mr. Hayfield reported on several communications with PNG and stated PNG does not coordinate their schedules with the City's. Ms. Benjamin will contact Peoples Natural Gas with regard to the matter.

Mr. Williams requested to continue with further questions to the City Manager after it addresses the ordinances and resolutions.

MAYOR

Mayor Frank Janakovic reported that he and several Councilmembers attended a Pennsylvania Municipal Authorities Association meeting for discussion of privatizing water and sewage systems. He noted several nontraditional options.

Mr. Janakovic noted discussions continue with Upper Yoder and Ferndale to install bike lanes from those areas through the downtown area. He stated grants and funds might make the project possible.

He congratulated Discover Downtown, which recently sponsored train and fire engine rides for kids downtown. The Mayor commented on people from out of town also attended the event.

The Mayor noted his attendance at the Roxbury and West End Tree Lighting ceremonies and the Moxham Lightup Night. He also stated UPJ students recently conducted a reading and math workshop for kids and families.

He noted Attorney General Josh Shapiro was in town speaking to local businesses regarding opioids and Narcan.

Mr. Janakovic met with the County grant writer to apply jointly with the County for a \$3 million grant through JP Morgan to promote business entrepreneurship in Johnstown.

The Mayor attended the Christmas Parade and tree lighting ceremony in Central Park.

Mr. Janakovic noted his involvement with Discover Downtown, Chamber of Commerce, Regional Partnership, JARI Growth Fund, and expressed a desire to become involved with local realtors.

CITY SOLICITOR

City Solicitor Elizabeth Benjamin noted she would provide her report later in the meeting after the ordinances and motions were addressed.

Mrs. Stanton questioned whether there were any lawsuits against the City for rental property owners who refused to have their homes inspected. Ms. Benjamin responded there were none to her knowledge. Mrs. Stanton recognized the approximately 3,000 rental properties in the City with the most recent registered in 2017. She stated the last inspection recorded was February 2016. She stated that living conditions in some of the rental properties were bad and suggested that the City help these residents.

Mrs. Stanton noted, after discussions with Mr. Rosenthal, she had been informed that rental property inspections have been suspended, which she stated was an action to be voted on by Council. There was discussion regarding the legality of the matter.

Mrs. Stanton referred to the Baker vs. the City of Portsmouth case that states the City does have the right to search rental properties. There was further discussion regarding the matter.

Mrs. Stanton requested that the City Solicitor explore the legalities of enforcing the rental property ordinance.

CITY ENGINEER

No Report.

COUNCIL UPDATES/NEIGHBORHOOD LIAISONS

1. November 7 Planning Commission Minutes.
2. November 26 letter from J. Williams re: 2017 City Independent Audit
3. December 3 letter from J. Williams re: Non-Compliance with Ballot Referendum May 16, 2017 re: Loan Review Committee.
4. December 4 letter from J. Williams re: 12/17/2013 Agreement for Collection Services Johnstown Credit Bureau.
5. December 4 letter from J. Williams re: Resolution No. 9795 approving retention of Young Oaks.
6. December 4 letter from J. Williams re: City Economics Development Loan Program.

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7. November 26 letter from J. Williams re: 2017 City Independent Audit.
8. December 5 letter from J. Williams re: Professional Service Agreement/Contracts.
9. December 5 letter from Cambria Somerset Realtors Association re: Realty Transfer Tax.
10. December 6 letter from Beth Colvin re: No increase on Realty Transfer Tax.
11. December 6 letter from Sue Lease re: Realty Transfer Tax.

PETITIONS

None.

ORDINANCES FOR FINAL READ:

BILL NO. 32 OF 2018, AN ORDINANCE AMENDING ORDINANCE NO. 5245, PASSED FINALLY ON DECEMBER 13, 2017, AND REPEALING 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, AND ORDINANCE NO. 5262 PASSED FINALLY ON NOVEMBER 14, 2018, IN ORDER TO PROVIDE FOR THE PROPER ALLOCATION OF REVENUE AND EXPENSES IN THE CITY OF JOHNSTOWN'S GENERAL FUND (01), COMMUNITY DEVELOPMENT FUND (04), UDAG FUNDS (8), PARKING FUND (02), SEWER UPGRADE/MAINTENANCE REPAIR FUND (24), CAPITAL FUND (18), RECREATIONAL FUND (22), STATE GRANT FUND (13) AS AMENDED AND TABLED.

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

Yeas: Mr. Vitovich, Mr. Williams, Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton (7).

Nays: None (0).

Mrs. Mock made a motion to amend Bill No. 32 to correct the introduction date and to incorporate an amendment to reflect sewer reimbursement activity detailed as proposed in the attachment distributed in Council's agenda packet and developed by Mr. Ritter and Mr. Williams to correct errors and omissions. The motion was seconded by Mr. Vitovich and passed by the following vote:

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Yeas: Mr. Williams, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock, Mrs. Stanton, Mr. Vitovich (7).
Nays: None (0).

Mrs. Stanton made a motion to table the ordinance for the purposes of advertising and holding a public hearing prior to its final adoption. The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mrs. Stanton, Mr. Vitovich, Mr. Williams (7).
Nays: None (0).

It was noted the tentative date for that public hearing would be December 27, 2018.

**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 JANUARY 1, 2019.**

Mrs. Mock made a motion to amend the increase from 1.5 percent to .75 percent. Mr. Vitovich seconded the motion.

Mrs. Mock clarified that instead of increasing the rate 1.5 percent, she proposed the rate be increased to .75 percent.

The motion failed by the following vote:

Yeas: Mayor Janakovic, Mrs. Mock, Mr. Vitovich (3).
Nays: Reverend King, Mrs. Stanton, Mr. Williams, Mr. Britt (4).

Mr. Britt and Mrs. Stanton commented they could not find it in their hearts to approve this bill.

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Mr. Williams made a motion to approve Bill No. 37 as written. The motion was seconded by Mrs. Stanton and failed by the following vote:

Yeas: None (0).

Nays: Reverend King, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,
Mr. Williams, Mr. Britt, Mayor Janakovic (7).

Mayor Janakovic commented on the current \$130,000 hole in the budget and an additional \$350,000 into equity for a total of over \$400,000.

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 (Tabled 11/27/18).

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

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams,
Mr. Britt, Mayor Janakovic, Reverend King (7).

Nays: None (0).

Mr. Williams made a motion to amend page one of the Ordinance, to remove the reference to Exhibit A No. J, Sanitation Funds. The motion was seconded by Mrs. Stanton and passed by the following vote:

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Williams, Mr. Britt,
Mayor Janakovic, Reverend King, Mrs. Mock (7).

Nays: None (0).

Ms. Benjamin explained the motion was to amend the Debt Service Fund to appropriate \$25,000 police car expense under Debt Service and to assign internal numbers as reflected in the attachment distributed to Council.

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The motion passed by the following vote:

Yeas: Mr. Vitovich, Mr. Williams, Mr. Britt, Mayor Janakovic,
Reverend King, Mrs. Mock, Mrs. Stanton (7).
Nays: None (0).

Mr. Britt exited the meeting at 7:34 p.m.

Mr. Williams made a motion to amend the UDAG Fund to appropriate \$300,000 for the Conrad Building demolition, \$400,000 for citywide demolition, and \$100,000 for the Public Safety Building. Mr. Williams stated this would free up monies in the General Fund for the Public Safety Building.

Mr. Hayfield stated \$75,000 was available in Public Works for repairs of any building.

There was further discussion regarding the matter.

The motion was seconded by Mrs. Stanton and failed by the following vote:

Yeas: Mrs. Stanton, Mr. Williams (2).
Nays: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).

Mr. Williams exited the meeting at 7:50 p.m.

Mrs. Mock made a motion to amend Bill No. 35 to increase the revenue from the fund by \$80,000 and to reduce the revenue from the deed transfer tax by \$80,000. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).
Nays: Mrs. Stanton (1).

Reverend King made a motion to table the ordinance to allow for advertising and a public hearing before its final adoption. The motion was seconded by Mr. Vitovich and passed by the following vote:

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

BILL NO. 36 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 1, 2019 (Tabled 11/27/18).

Ms. Benjamin explained that Mr. Williams distributed information and had a discussion during the public hearing of his intention to amend the Wage and Salary Ordinance, so the amount would match the amount appropriated in the budget.

Bill No. 36 remained tabled.

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).

Mrs. Stanton made a motion to remove the ordinance from table. The motion died for lack of a second. Bill No. 28 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).

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Mrs. Stanton made a motion to remove the ordinance from table. The motion died for lack of a second. Bill No. 29 remained tabled.

Mayor Janakovic noted for the record the withdrawal of the following ordinances, and Mr. Williams reserved the right to resubmit the ordinances at the next meeting:

BILL NO. 38 OF 2018: AN ORDINANCE REPEALING ORDINANCE NO. 5173, PASSED FINALLY ON JUNE 10, 2015 AMENDING ORDINANCE NO. 5161 TITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, WHICH INCLUDE AMENDING THE FY 2014 CDBG PROGRAM TITLED: SEWER LATERAL REPLACEMENT.

BILL NO. 39 OF 2018: AN ORDINANCE REPEALING ORDINANCE NO. 5174 PASSED FINALLY ON JUNE 10, 2015 AMENDING ORDINANCE NO. 5161 TITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING FY 2013 AND FY 2014 CDBG PROGRAMS TITLED ECONOMIC DEVELOPMENT ASSISTANCE GRANT EXPENSES, CODE ENFORCEMENT GRANT EXPENSES, REHAB DELIVERY GRANT EXPENSES, PUBLIC IMPROVEMENT GRANT EXPENSE AND PUBLIC SERVICE.

BILL NO. 40 OF 2018: AN ORDINANCE REPEALING ORDINANCE NO. 5184 PASSED FINALLY ON OCTOBER 14, 2015 AMENDING ORDINANCE N. 5161 TITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, WHICH INCLUDE AMENDING THE FY 2015 PROGRAM TITLED: PROCEEDS FROM GENERAL LONG TERM DEBT LOAN REPAYMENTS - UDAG.

BILL NO. 41 OF 2018, AN ORDINANCE REPEALING ORDINANCE NO. 5200 PASSED FINALLY ON MAY 11, 2016 AMENDING ORDINANCE NO. 5192 TITLED: AN ORDINANCE OF THE CITY COUNCIL OF HE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE NO. 5192 FY 2016 CITY OF JOHNSTOWN BUDGET BILL TO INCLUDE THE SEWER LATERAL ASSISTANCE PROGRAM AND DEMOLITION IN UDAG.

BILL NO. 42 OF 2018, AN ORDINANCE REPEALING ORDINANCE NO. 5203 PASSED FINALLY ON AUGUST 11, 2016 AMENDING ORDINANCE 5201 TITLED: AN ORDINANCE OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE NO. 5201 OF 2016 OF THE

CITY OF JOHNSTOWN BUDGET TO INCLUDE THE REVENUE AND EXPENSES FOR FIRE GRANTS RECEIVED IN THE GENERAL FUND.

BILL NO. 43 OF 2018, AN ORDINANCE REPEALING ORDINANCE NO. 5207 PASSED FINALLY ON OCTOBER 12, 2016, AMENDING ORDINANCE NO. 5201 OF 2016 AS AMENDED BY ORDINANCE NO. 5203 PASSED FINALLY ON AUGUST 11, 2016 SETTING FORTH THE 2016 CITY OF JOHNSTOWN BUDGET EXHIBIT A TO INCLUDE GENERAL FUND REVENUES AND EXPENSES FOR THE POLICE GRANTS AND TO AMEND THE MAIN STREET EAST CAPITAL BUDGET FUND AND THE PARKING FUND AS PER THE 2015 INDEPENDENT AUDIT OF WESSEL AND CO RECOMMENDATIONS.

BILL NO. 44 OF 2018, AN ORDINANCE REPEALING ORDINANCE NO. 5219 PASSED FINALLY ON DECEMBER 29, 2016 AMENDING ORDINANCE NO. 5192 PASSED FINALLY ON JUNE 28, 2016 AND ORDINANCE NO. 5203 PASSED FINALLY ON AUGUST 11, 2016 AND ORDINANCE NO. 5207 PASSED FINALLY ON OCTOBER 12, 2016 SETTING FORTH THE 2016 CITY OF JOHNSTOWN BUDGET EXHIBIT A TO INCLUDE BOTH DEBT SERVICE AND GENERAL FUND REVENUES AND EXPENSES FOR THE \$6,000,000 UNFUNDED DEBT LOAN TO BE RECEIVED BY YEAR END 2016.

BILL NO. 45 OF 2018, AN ORDINANCE REPEALING ORDINANCE NO. 5226 PASSED FINALLY ON APRIL 12, 2017 AMENDING ORDINANCE NO. 5213 PASSED ON DECEMBER 29, 2016 CITY OF JOHNSTOWN BUDGET TO AMEND 2017 BUDGET TO PROPERLY ALLOCATE REVENUES AND EXPENSES RELATING TO DELINQUENT BUSINESS PRIVILEGE TAX COLLECTED AND RECEIVED BY TURNKEY TAXES ON 1/13/17 AND TO PROPERLY ALLOCATE THE TRANSFER OF FUNDS FROM ITC TO PARKING FUND.

BILL NO. 46 OF 2018, AN ORDINANCE REPEALING ORDINANCE NO. 5234 PASSED FINALLY ON AUGUST 9, 2017, AMENDING ORDINANCE NO. 5213 PASSED ON DECEMBER 29, 2016 AS THEN AMENDED BY ORDINANCE NO. 5226 PASSED FINALLY ON APRIL 12, 2017 CITY OF JOHNSTOWN BUDGET TO AMEND 2017 BUDGET TO PROPERLY ALLOCATE REVENUES AND EXPENSES RELATING TO DELINQUENT BUSINESS PRIVILEGE TAX 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.

BILL NO. 47 OF 2018, AN ORDINANCE REPEALING ORDINANCE NO. 5237 PASSED FINALLY ON SEPTEMBER 13, 2017, TITLED: AMENDING ORDINANCE NO. 5213 PASSED ON DECEMBER 29, 2016 AS AMENDED BY ORDINANCE NO. 5226 PASSED FINALLY ON APRIL 12, 2017 AND AS AMENDED BY ORDINANCE NO. 5234 PASSED FINALLY AUGUST 9, 2017 TO FURTHER AMEND THE 2017 BUDGET TO PROPERLY ALLOCATE REVENUES AND EXPENSES RELATING TO THE CDBG, HOME ALLOCATIONS, ADDITIONAL SEWER UPGRADE PENNVEST EXPENSES, AND TO ALLOCATE THE ANTICIPATED FORENSIC AUDIT EXPENSES FROM ERNST AND YOUNG AND TO ELIMINATE DEFICITS BALANCES AS NEEDED.

BILL NO. 48 OF 2018, AN ORDINANCE AMENDING ORDINANCE NO. 4654 AS AMENDED BY ORDINANCE NOS. 4693, 4731, 4880, 4894, 4902, 4908, 4991, 5015, 5024, 5127, 5034, 5042, 5055, 5058, 5069, 5177 MAY 19, 2015 VOTER REFERENDUM AND ORDINANCE NOS. 5194, 5196, 5199, 5210, 5229, 5230, 5231 AND 5255 TITLED: AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE CODE FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, DESIGNATING THE POWERS AND DUTIES OF THE COUNCIL, CITY MANAGER, AND OTHER MUNICIPAL OFFICIALS AND SUPPLEMENTING THE PROVISIONS AS SET FORTH IN THE HOME RULE CHARTER APPROVED BY THE VOTERS ON MAY 18, 1993 BY FURTHER AMENDING SECTION 212 ORDINANCES.

Mrs. Stanton made a motion to approve. The motion died for lack of a second.

RESOLUTIONS

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, DIRECTS THE CITY MANAGER THRU 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 CITY'S (14) STATED AND ACKNOWLEDGED CITY PLAYGROUNDS AS PUBLISHED ON THE CITY'S INTERNET WEBSITE, INCLUDING ONSITE COMPLIANCE INSPECTIONS BY AN INDEPENDENT QUALIFIED PERSON, FIRM AND LLC.

Mrs. Stanton made a motion to approve the resolution. The motion died for lack of a second.

Resolution No.

A RESOLUTION OF THE 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".

Mrs. Stanton made a motion to approve the resolution. The motion died for lack of a second.

Resolution No. 10136

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT FOR CONTINUATION OF POLICE SERVICES WITH THE JOHNSTOWN HOUSING AUTHORITY FOR THE VINE STREET, FULTON I. CONNOR AND TOWNHOUSE TOWERS UPON REVIEW OF THE CITY SOLICITOR.

Mr. Vitovich made a motion to approve the resolution. Reverend King seconded the motion.

It was noted there would be a two percent increase.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mayor Janakovic, Reverend King (4).

Nays: None (0).

Abstention: Mr. Vitovich (1). Mr. Vitovich abstained due to his position as Commissioner on the Board.

Resolution No. 10137

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN A
CONTRACT FOR THE CONTINUATION OF POLICE SERVICES WITH
THE JOHNSTOWN HOUSING AUTHORITY FOR THE SOLOMON,
PROSPECT, COOPERSDALE AND OAKHURST COMMUNITIES UPON
REVIEW OF THE CITY SOLICITOR.

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

Yeas: Mrs. Stanton, Mayor Janakovic, Reverend King, Mrs. Mock (4).

Nays: None (0).

Abstention: Mr. Vitovich (1). Mr. Vitovich abstained due to his position as
Commissioner on the Board.

Resolution No. 10138

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
ESTABLISHING THE SCHEDULE OF CITY COUNCIL MEETINGS AND
WORKSHOPS FOR THE YEAR 2019.

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

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

Nays: None (0).

Resolution No. 10139

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, SELECTING A PROPOSAL
FOR RENEWAL OF THE CITY GENERAL LIABILITY AND WORKERS'
COMPENSATION INSURANCE PLAN(S) EFFECTIVE JANUARY 1, 2019
AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY/ALL
AGREEMENTS AND NOTICES NECESSARY TO EFFECTUATE SAME.

Mr. Vitovich made a motion to approve the resolution. Reverend King seconded the
motion.

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It was noted two proposals were received.

The motion passed by the following vote:

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

Resolution No. 10140

A RESOLUTION OF THE CITY OF JOHNSTOWN, PENNSYLVANIA,
SUPPORTING A PETITION TO THE PENNSYLVANIA LIQUOR
CONTROL BOARD (BOARD'S) BY THE CITY OF JOHNSTOWN FOR
THE PROPERTY KNOWN AS 80 BRIDGE STREET FOR THE
SUBSTITUTION OF THE CITY OF JOHNSTOWN'S NOISE ORDINANCE
FOR SECTION 493(34) OF THE LIQUOR CODE.

Mr. Vitovich made a motion to approve the resolution. Reverend King seconded the motion.

Ms. Benjamin explained that PLCB requested changes to the language that had been preapproved and will be used as the template going forward.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).
Nays: Mrs. Stanton (1).

Resolution No. 10141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, SUPPORTING A PETITION TO THE
PENNSYLVANIA LIQUOR CONTROL BOARD (BOARDS') BY THE
CITY OF JOHNSTOWN FOR THE PROPERTY KNOWN AS 229 MAIN
STREET FOR SUBSTITUTION OF THE CITY OF JOHNSTOWN'S NOISE
ORDINANCE FOR SEC. 493 (34) OF THE LIQUOR CODE.

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

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Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).
Nays: Mrs. Stanton (1).

Resolution No. 10142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, APPOINTING BEARD LEGAL GROUP, P.C. AS
SPECIAL LABOR COUNSEL ON A MONTH-TO-MONTH BASIS
EFFECTIVE DECEMBER 7, 2018.

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

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mayor Janakovic (4).
Nays: None (0).
Abstention: Mrs. Stanton (1). Mrs. Stanton abstained due to current litigation with
the Beard Legal Group.

MOTIONS

TO ACCEPT THE AUDIT OF FINANCIAL STATEMENTS OF THE CITY OF
JOHNSTOWN FOR THE YEAR BEGINNING JANUARY 1, 2017 AND
ENDING DECEMBER 31, 2017 PERFORMED BY WESSEL AND
COMPANY AND DELIVERED TO COUNCIL ON JUNE 26, 2018.

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

Yeas: Mrs. Mock, Mr. Vitovich, Mayor Janakovic, Reverend King (4).
Nays: Mrs. Stanton (1).

Mr. Ritter stated, per his request for loan interest figures, 1st Summit offered 3.375
percent, which initially was 3.97 percent. This information would be
submitted for Council's consideration.

NEW BUSINESS

Mrs. Stanton discussed hazardous road conditions on Plainfield Avenue in Roxbury.

Mrs. Stanton made a motion requesting that Plainfield Avenue be inspected and deficiencies corrected. The motion died for lack of a second.

The City Manager stated the matter was previously discussed with the Public Works Director, but he would make contact again.

Mrs. Stanton discussed the sidewalk conditions on Valley Pike near the railroad trestle. She noted that per the City ordinance, the City is responsible to make the necessary corrections to the sidewalk and then submit a bill to the property owner for those corrections. The City Manager will contact the Public Works Director regarding the matter. Mr. Vitovich believed the trestle might belong to Conrail.

Mrs. Stanton made a motion to have the sidewalk conditions corrected on Valley Pike. The motion died for lack of a second.

Mr. Vitovich requested that the City's snowplow drivers be asked to slow down while plowing. Mr. Vitovich informed Council he would not be attending the next Workshop as he and his wife would be celebrating their 50th Anniversary.

OLD BUSINESS

None.

PUBLIC COMMENT - NONAGENDA ACTION ITEMS (Limit 3 minutes).

None.

NEXT SCHEDULED MEETINGS

Special Meeting, Thursday, December 27, 2018, 5:00 p.m.

Regular Meeting, Wednesday, January 9, 2019 at 6:00 p.m.

RECESS/ADJOURNMENT

There being no further business, the meeting adjourned at 8:30 p.m.