

## JOHNSTOWN CITY COUNCIL MINUTES

Wednesday, April 12, 2017

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.

Arch Liston, City Manager, offered the invocation, and the Pledge of Allegiance was recited.

Mayor Janakovic noted that prior to the commencement of the meeting, an Executive Session was held with regard to litigation.

The following members of Council were present for roll call:

Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams (7).

City Manager Arch Liston and Elizabeth Benjamin, Esquire, City Solicitor, were also present.

### APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the March 8, 2017 Regular Meeting Minutes. The motion was seconded by Mr. Williams and passed by the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams (7).

Nays: None (0).

### PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

Mayor Janakovic read the following proclamation into the record:

WHEREAS, there are currently more than 102,000 osteopathic physicians, DOs, in the United States, and Pennsylvania is the nation's leader in osteopathic medicine with over 8,700 licensed DOs in the Commonwealth,

And DOs have made tremendous contributions to the American healthcare system, including treating U.S. Presidents, Olympic athletes, serving as Surgeon General of the U.S. Army and sitting on nationwide healthcare panels,

And DOs have a strong tradition of ensuring patients in all parts of the country have access to healthcare, particularly in rural and medically underserved communities,

And DOs practice a hands-on whole body approach, which includes osteopathic manipulative medicine to diagnose health problems, treat dysfunctions, preserve good health and prevent the spread of disease.

WHEREAS, the citizens of Johnstown recognize the need for osteopathic physicians who are committed to improving the health of all Americans.

NOW THEREFORE, I, Frank J. Janakovic, Mayor of the City of Johnstown, do hereby proclaim April 16th through the 22nd, 2017, to be National Osteopathic Medicine Week, and urge all citizens and community organizations to support this observance by helping to educate residents about DOs and osteopathic medicine.

Yours Truly,  
Mayor Janakovic

PUBLIC COMMENT ON AGENDA ITEMS ONLY

Andrea Ryan, 190 Derby Street, Johnstown, addressed Council with regard to Resolution No. 7 approving the amendments to the City of Johnstown Fiscal Year 2015 and 2016 with regard to the Community Development Block Grant fund. She opposed to the resolution, as it would divert monies intended for low-income and moderate-income families.

Ms. Ryan commented that the proposed amendments do not meet the required objectives, as sidewalk repairs do not benefit low-income and moderate-income individuals specifically. She suggested more aggressive measures be taken to use the CDBG funds appropriately. Ms. Ryan also discussed the Citizen Participation Plan.

The City Manager stated that all documents were submitted, and HUD will make a decision on the approval.

Mrs. Stanton agreed with Ms. Ryan and thanked her for her report. There was further discussion regarding the matter.

Paul Ricci, 130 Palm Avenue, Johnstown, addressed Council with regard to Bill No. 5, the nondiscrimination ordinance that was tabled at the last meeting. He referred to comments by the news media that "Johnstown is the third fastest shrinking city in the U.S.," and inquired as to the concern for LGBT issues when there are other pressing matters. Mr. Ricci invited Councilmembers to attend an LGBT meeting on Monday, April 17, 2017, at the Library starting at 6:00 p.m. He also invited members to a Meet and Greet, which will be attended by the Young Professionals of the Alleghenies on Saturday, April 15, 2017, at the Flood City Café at 4:00 p.m.

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council with regard to Bill No. 5 and the drug forfeiture audit. Mr. DeBartola asked Council to "stand up", remove from table, and vote on Bill No. 5. He also invited Councilmembers, the Solicitor and City Manager to an educational seminar on April 17, 2017, at the Cambria County Library.

Mr. DeBartola thanked Council for reviewing the accounting errors on the drug forfeiture account and making the necessary adjustments.

Reynado Carrasquer, 241 School Place, Johnstown, addressed Council with regard to Bill No. 5. Mr. Carrasquer, a transgender, would like to be treated with equality. He also urged Council to remove from table and address Bill No. 5.

Jay Deaver, 183 Derby Street, Johnstown, addressed Council. He urged Council to pass Bill No. 5. Mr. Deaver stated that 12 states and the District of Columbia offer protection based on sexual orientation. He invited candidates running for a local office to attend the upcoming public forums. Mr. Deaver stated the LGBT community in Johnstown would continue to fight for equality for all and end discrimination in the City.

Joseph Warhul, 44 Clover Street, Johnstown, addressed Council with regard to available funds to help the elderly and poor people and fight blight, rather than to fix sidewalks. With regard to Bill No. 9, Mr. Warhul suggested Council not extend the EADS group contract, but rather "find someone cheaper."

Mr. Warhul commented with regard to Resolution No. 15, which relates to a loan for \$5,600,000 in support of the sewer upgrade. Mr. Warhul was thankful for receiving responses to code complaints. He discussed a quality of

life ordinance that was passed by the City of Jeanette, PA, and asked Council to visit the site to review the same.

Mr. Warhul suggested Council conduct a workshop with regard to blight. The City Manager noted that further information would be provided in his report.

Matthew Cobaugh, 115 Catherine Street, Johnstown, offered comments in support of Bill No. 5.

Dr. Catherine Ann McCloskey-Ross, 500 Broad Street, Johnstown, addressed Council with regard to Bill No. 5. She also urged Council to remove the bill from table and vote on it.

James Brown, 391 Piney Alley, Johnstown, addressed Council with regard to Resolution No. 1, which concerns the placement of billboards at the Point Stadium. He asked Council to remove the resolution from table and vote yes.

Mr. Brown also commented with regard to Resolution 2, which concerns the naming rights to the Point Stadium. He noted the stadium has not been used enough, but suggested that Council remove it from table and vote yes.

Mr. Brown discussed Resolution No. 15. He expressed his concerns with regard to the City's ongoing debt.

#### REPORT BY CITY MANAGER

Arch Liston, City Manager, addressed a Letter to the Editor that was featured in the Johnstown Tribune-Democrat concerning a rumor that if a property owner did not comply with the sewer requirements, that service would be terminated to that property. Mr. Liston stated there was no truth to the statement and that the rumor is false.

Mr. Liston noted the Director of Community Development and the City's Fire Chief recently visited Jeanette to evaluate their newly instituted trash pickup system as it relates to the quality of life. Chief Kovacic provided an overview of the visit and answered questions.

Mrs. Mock thanked Mr. Liston for his quick response to the problem.

Ms. Daly noted that garbage stickers are being checked. She discussed how the matter was currently being handled. The group had further discussion.

It was noted the meeting was not being televised due to a malfunction.

It was noted that PennDOT responded via email to the poor road conditions of Franklin Street and Plainfield Avenue. The City Manager noted the roads are scheduled to be repaved in 2019. An update will be provided at a later date.

A meeting with PennDOT with regard to the matter was requested. There was further discussion.

Mr. Williams discussed a task order that EADS was paid \$55,000 a month to identify all illegal downspout connections. He questioned the ability to conduct flow monitoring in neighborhoods with illegal downspout connections. He further discussed the matter.

Mr. Williams made a motion that all flow monitoring be temporarily suspended in neighborhoods with existing illegal downspout connections pursuant to the ordinances. Mrs. Stanton seconded the motion.

There was a discussion with regard to Mrs. Stanton's concerns about the enforcement action that was to have been taken previously concerning the downspout violations.

Mayor Janakovic stated a question for EADS would be the affect the progress of the flow monitoring if the matter had been voted on and stopped,

Mr. Sewalk explained the delay of the consent order as there were approximate dates and times for flow monitoring as noted in the consent order. He answered questions with regard to flow monitoring and dye testing.

Mrs. Stanton was in favor of a delay.

Attorney Benjamin explained the City was required to enforce the ordinance.

Mr. Vizza suggested that flow monitoring be continued while the City gets more aggressive with the disconnects.

The City Manager explained that massive enforcement of the downspouts would involve the courts. He noted the Hornerstown violations were ordered up to the Court of Common Pleas for review and kicked back, and at this point, no action had been taken. There was further discussion.

The motion failed by the following vote:

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

Nays: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza,  
Mayor Janakovic (5).

Attorney Benjamin explained the motion Council voted on was to suspend flow monitoring until a certain point was reached. She stated the motion failed and by voting not to suspend did not violate any ordinance.

### REPORT BY THE MAYOR

Frank Janakovic, Mayor, reported on presenting a proclamation in Central Park declaring March Child Abuse Prevention Month.

Mr. Janakovic noted the JARI Growth Fund and its Partnership Visioning and other groups were encouraging job growth in our area. He stated Lockheed Martin announced 40 jobs for the area.

The Mayor reported on his attendance at the United Neighborhood meeting on March 28, 2017.

Mayor Janakovic requested Council's approval of the following proclamations:

The 25th Anniversary of St. James Church in Hornerstown on April 30, 2017.

The National Day of Prayer in Central Park on May 4, 2017.

A proclamation welcoming the Prince and Princess of Serbia who will be visiting Johnstown.

Even though the cameras were not working, Mayor Janakovic wished his wife a Happy Anniversary.

Mr. Vitovich made a motion to approve the proclamations. Mr. Johncola seconded the motion. The motion passed by the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,  
Mayor Janakovic, Mr. Johncola (7).

Nays: None (0).

The Mayor noted his recent attendance at the National Council on Mental and Behavioral Health.

#### REPORT BY THE CITY SOLICITOR

Elizabeth Benjamin, City Solicitor, reported on her work with Ms. Daly to develop a proposed resolution and agreement concerning a request for proposals with respect to building code officials.

Attorney Benjamin discussed the differences between Resolution Nos. 3 and 4 on the agenda, which addressed Brownfield grants.

Mr. Williams asked for a motion to amend Ordinance 5166, passed finally January 28, 2015, amending Ordinance 5152, 5253. It adds a section for lateral testing of sewage lines to the property's exterior foundation wall located at the point of sewer entry into the interior of the property with no property interior sewer line being subject to lateral testing identified as Bill No. 13 of 2017.

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

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola,  
Mrs. Mock (5).

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

Mr. Williams presented the City Manager with the petitioners' committee form to address the ordinance just tabled.

#### REPORT BY THE CITY ENGINEER

Steve Sewalk referred Council to his report for further discussion. He highlighted certain topics in his report and answered questions.

In response to an inquiry by Mrs. Stanton regarding pounds per pressure, Mr. Sewalk stated pressure testing requires five pounds of pressure for at least 15 minutes.

#### COUNCIL UPDATES

1. Planning Commission Minutes of March 1, 2017.
2. Letter from Wessel and Co.-March 31, 2017.

3. Letter from Wessel and Co.-April 5, 2017
4. Code complaints from W. Penrose-5; D. Callahan-3; J. Warhul-10;  
J. Williams-3; L. Yutzy-21; C. Stanton-28

### NEIGHBORHOOD LIAISONS

Mr. Vitovich reported on Public Works' picking up garbage, cutting grass, picking up clippings, and refurbishing all winter equipment.

Mr. Vizza reported on attending the Redeem Man of God musical at St. James Missionary Baptist Church in Hornerstown on March 25, 2017. He commended the musical participants and encouraged everyone to visit the church.

Mr. Vizza noted that the Johnstown Police Department was actively investigating eight homicides. He asked that City residents "report what they see and hear," which will help the police and improve the community.

Mr. Johncola thanked Mike in Public Works for the tree cutting completed in Prospect.

Mrs. Mock reported the United Neighborhood Association event held on March 28, 2017, was a huge success. She noted the questions and concerns were addressed. She thanked Reverend Sylvia King and the church for opening their doors to the event. Future meeting dates will be announced.

Mrs. Mock noted her attendance at a recent Roxbury Civic Group Meeting. There will be a highway cleanup on April 22, 2017, and regular neighborhood cleanup scheduled for May 27, 2017. A spaghetti dinner scheduled for May 20, 2017. Mrs. Mock answered questions and concerns with regard to the codes and Public Works.

The West End Improvement Group recently held its meeting. Mrs. Mock noted students from Mount Aloysius worked in the community garden on April 8, 2017.

The Annual Easter Egg Hunt was held on April 9, 2017, at the Skate Park.

Mrs. Mock thanked Chief Kovacic and the Johnstown Fire Department who will help the group to create a walking track around the perimeter of the Skate Park. She noted that eight times around was a mile. The firefighters will also



help to clean the graffiti on the skateboard ramps. Bottle Works and local artists will then add creative paintings on the ramps.

Councilwoman Mock noted the Trash to Treasures Yard Sale scheduled for April 22, 2017, at St. Therese's Church on Decker Avenue.

West End Improvement Group Cleanup scheduled for April 29, 2017, 9:00 a.m. to 12:00 p.m.

She reported Community Day at the Car Wash would be an upcoming event.

Mrs. Mock stated a \$1,600 grant had been received from the Community Foundation for the Alleghenies towards the purchase of additional cameras for the Oakhurst Playground area.

Mrs. Mock commended Teresa Gunby's efforts to raise funds, and along with the help of the ACRP, neighbors, family and friends are transforming a vacant lot into a community garden.

Councilwoman Mock reported on the Annual Peace Walk started by Reverend Sylvia King scheduled for May 5, 2017, commencing in Central Park.

Mrs. Mock noted positive comments regarding the presence of foot patrols in the neighborhoods. She commended Acting Chief Janciga for his efforts.

Road conditions on Franklin, Plainfield and Derby Streets were addressed previously.

Mrs. Mock, on behalf of Mayor Janakovic and Council, presented a proclamation to Dr. Jem Spectar at a recent Lions Club meeting. She noted the West End Lions and the Johnstown Rotary Club were redoing the flag plaza along Route 56 near the bottom of the Johnstown Inclined Plane. She noted both groups would absorb the costs.

Mrs. Stanton hopes Council will take guidance from the quality of life ordinance passed by the City of Jeanette.

Mrs. Stanton expressed her concerns with regard to not receiving answers to all the code complaints submitted. She questioned the missed properties. She referred to and submitted information regarding a blighted vacant property that was not listed on the City's database.

Councilwoman Stanton questioned why vacant properties had not been brought into compliance since last year.

Mrs. Stanton has been walking to pick up litter in the Moxham neighborhood with Pastor Bob and the Moxham Lutheran Church.

She noted her attendance at a food drive and Easter basket collection recently held at the Park Avenue Playground. She reported 51 Easter baskets, \$145 cash, and 273 food items were received. Mrs. Stanton commended Mr. Warhul for organizing the event.

Mrs. Stanton noted a Moxham resident with flooding in his basement ever since sewage work had been completed in the alley above his home. She provided a photograph of the property as well as the resident's name.

Mrs. Stanton made a motion for someone to contact this resident to discuss the problem. There was no second. The City Manager directed Mr. Sewalk to investigate the matter.

She also asked that an investigation be done with regard to flooding on 500 Place.

Mrs. Stanton reported on her attendance at the recent Seventh Ward Civic Association meeting. She urged all interested in the Hornerstown Community Garden to view its Facebook page.

She noted her attendance at a recent meeting held at the Brothers of the Hammer Club downtown, which was organized by Debra Coleman. Acting Chief Janciga answered questions from concerned residents regarding the recent shootings and drug epidemic.

Mrs. Stanton encouraged all residents to report crime by either walking neighborhoods or just observing through a window.

She noted her attendance at a recent Easter celebration for kids held at Roxbury St. Paul's Church.

There have been ongoing complaints with regard to the homeowner bearing the expense of replacing sidewalks on Sell Street due to the recent sewer upgrade.

Mrs. Stanton made a motion that the Solicitor send a letter requesting that the responsible party in good faith redo and repair the sidewalks on Sell Street.

She indicated the party did not respond to the letter last year. The motion was seconded by Mr. Williams and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic,  
Mr. Johncola, Mrs. Mock, Mrs. Stanton (7).

Nays: None (0).

Mrs. Stanton requested that Cheney Run in Roxbury, one of the City's five flood management systems, be checked monthly for debris. She asked that part of the concrete wall, which is cracked, be repaired as it creates a safety hazard. She also asked that the cinders and rocks along Mosholder Street be cleaned up.

She noted the Jim Mayer Trail Cleanup, sponsored by the Cambria County Conservation and Recreation Authority, would be held on April 22, 2017.

The Annual Night of Music and basket party will be held at the Cambria County Library on April 28 from 7:00 to 9:30 p.m.

Mrs. Stanton noted the National Day of Prayer would be held on May 4 at the Gazebo in Central Park and also at Franklin Street United Methodist Church.

Mr. Williams made a motion to take a 15-minute recess.

#### PETITIONS

None.

#### ORDINANCES FOR FINAL READ AND ADOPTION:

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 ACCOMMODATIONS 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 ACCOMMODATION PRACTICES BY PROHIBITING DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS 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 THEREOF; 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).

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

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

Nays: Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich (5).

SHORT RECESS TAKEN

Mr. Williams discussed the following communications:

1. March 20 communication from Attorney Benjamin regarding her correspondence from Mr. Vuckovich at the Housing Authority.
2. March 23 communication from Mr. Arnone regarding Civil Service.
3. April 5 report from Wessel regarding an account.
4. April 5 regarding money spent by former City Manager Denne without approval of Council.
5. Communication from Attorney Shahade.

There was a discussion regarding one of the Mayor's campaign signs and a code complaint regarding the same. After further discussion, Mayor Janakovic noted Mr. Williams was out of order.

Attorney Benjamin explained that records must be requested through the proper channels, which would allow the City to evaluate records of the City under the Right to Know Law.

There was a discussion with regard to whether names should be listed in code complaints that are filed. She referred to a complaint filed by Mr. Warhul. It was suggested that Mr. Warhul file a Right to Know request to receive a copy of a letter where his motives were being questioned.

BILL NO. 10 OF 2017, AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5213, PASSED FINALLY ON DECEMBER 29, 2016, CITY OF JOHNSTOWN BUDGET TO AMEND THE 2017 BUDGET TO PROPERLY ALLOCATE REVENUE AND EXPENSES RELATING TO THE 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.

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

Yeas: Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock,  
Mrs. Stanton, Mr. Vitovich, Mr. Vizza (7).

Nays: None (0).

BILL NO. 11 OF 2017, AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5214 PASSED FINALLY ON DECEMBER 29, 2016 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.

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

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,  
Mr. Vizza (5).

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

#### ORDINANCES FOR FIRST READ

BILL NO. 12 OF 2017, AN ORDINANCE INCREASING THE INDEBTEDNESS OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, BY THE ISSUE OF THE GUARANTEED REVENUE NOTE IN THE MAXIMUM PRINCIPAL 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. ADDITIONAL, 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 BACKUPS. THE GOAL OF THE PROJECT IS REHABILITATION OF THE MOXHAM PHASE II SANITARY STORM SEWER SEPARATION LINES TO REMOVE INFILTRATION AND INFLOW TO THE SANITARY SEWER SYSTEM BY REHABILITATING THE COLLECTION LINES AND ELIMINATING INTERCONNECTIONS BETWEEN THE SANITARY AND STORM SEWER SYSTEMS.

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

Attorney Benjamin explained this is with regard to the PennVEST loan and the next phase of the project. That it is an ordinance providing for the City to pursue funding from PennVEST for the Moxham Phase II sanitary sewer upgrade.

The motion passed by the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza,  
Mayor Janakovic (5).  
Nays: Mrs. Stanton, Mr. Williams (2).

## RESOLUTIONS

### Resolution No. 9931

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO DETERMINE THE FEASIBILITY OF SEEKING REQUEST FOR PROPOSALS FROM INTERESTED PARTIES FOR THE PLACEMENT OF MULTIPLE EXTERIOR ADVERTISING BILLBOARD TYPE SIGNAGE AT THE JOHNSTOWN POINT STADIUM (Tabled March 8, 2017.)

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

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,

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Mayor Janakovic, Mr. Johncola (7).  
Nays: None (0).

Mr. Williams made a motion to approve. Mrs. Stanton seconded the motion.

Attorney Benjamin explained restrictions imposed upon the advertising at the Point Stadium within 1,000 feet of other signs. She suggested that the geography be studied before an RFP can be filed on that basis.

Mrs. Mock made a motion to amend the resolution to be contingent upon final approval by the Solicitor. Attorney Benjamin noted the wording in the resolution was correctly submitted initially and would not need to be amended.

The motion voted upon as read passed by the following vote:

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mrs. Mock, Mr. Williams,  
Mayor Janakovic, Mr. Johncola (7).  
Nays: None (0).

Resolution No. 9932

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR THE NAMING RIGHTS TO JOHNSTOWN'S POINT STADIUM FOR A PERIOD NOT TO EXCEED TEN (10) YEARS (Tabled March 8, 2017).

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

Yeas: Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic,  
Mr. Johncola, Mrs. Mock, Mrs. Stanton (7).  
Nays: None (0).

Mr. Williams made a motion to approve.

Attorney Benjamin explained the same circumstances would apply with regard to any restrictions concerning the number of feet to other signage.

Mrs. Stanton seconded the motion.

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It was noted that zoning issues would be addressed separately.

The motion passed by the following vote:

Yeas: Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock,  
Mrs. Stanton, Mr. Vitovich (7).

Nays: None (0).

Resolution No.

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN AN AGREEMENT WITH TETRA TECH, INC. TO PROVIDE PROFESSIONAL SERVICES BEGINNING MARCH 9TH, 2017 THROUGH SEPTEMBER 30TH, 2019 FOR THE BROWNFIELD ASSESSMENT AND REVITALIZATION PROJECT THROUGH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN SUPPORT OF THE \$400,000 ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD GRANT (Tabled March 8, 2017).

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

Yeas: Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock,  
Mrs. Stanton, Mr. Vitovich, Mr. Vizza (7).

Nays: None (0).

Attorney Benjamin explained that Resolution No. 4 was the same but includes the agreement attached and is the preferred version.

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

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton,  
Mr. Vitovich, Mr. Vizza, Mr. Williams (7).

Nays: None (0).

Resolution No. 9933



A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN AN AGREEMENT WITH TETRA TECH, INC. TO PROVIDE PROFESSIONAL SERVICES BEGINNING MARCH 9TH, 2017 THROUGH SEPTEMBER 30TH, 2019 FOR THE BROWNFIELD ASSESSMENT AND REVITALIZATION PROJECT THROUGH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN SUPPORT OF THE \$400,000 ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD GRANT.

Mr. Williams made a motion to approve. Mr. Vitovich seconded the motion.

Attorney Benjamin explained this was being entered as the result of a grant that was awarded to the City but does have time limit requirements in that there has to be a certain amount of work completed by a certain date.

The motion passed by the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza,  
Mr. Williams, Mayor Janakovic (7).  
Nays: None (0).

Resolution No. 9934

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, FLOOD CITY LODGE #86 FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 1ST, 2017.

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

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,  
Mayor Janakovic, Mr. Johncola (7).  
Nays: None (0).

Resolution No. 9935

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO AMEND CONTRACT NO. C000061453 WITH PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT MARKET-BASED REVENUE OPPORTUNITIES, (MBRO) IN ORDER TO BE USED TO FUND THE MOXHAM COMMUNITY PROJECT IN THE AMOUNT OF \$25,000 FROM ACT 47 GRANT FUNDING.

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

There was discussion regarding the resolution. Mayor Janakovic noted another entity is interested in supporting this financially down the road.

The motion passed by the following vote:

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,  
Mayor Janakovic, Mr. Johncola, Mrs. Mock (7).  
Nays: None (0).

Resolution No. 9936

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING THE AMENDMENTS TO THE FY 2015 AND FY 2016 CDBG PROGRAMS.

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

Mrs. Stanton believes there are other projects that have priority over new sidewalks.

Ms. Daly commented there was no extra money for demolition as the \$200,000 had been maxed out. There was further discussion regarding the resolution and its limitations.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,  
Mr. Vizza (5).  
Nays: Mrs. Stanton, Mr. Williams (2).

Resolution No. 9937

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.

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

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic (7).

Nays: (0).

Resolution No. 9938

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 \$5,580,000.00 TO BE USED TOWARDS IMPROVEMENTS TO THE INNER CITY SEWER SYSTEM IN THE OHIO STREET AREA OF THE CITY OF JOHNSTOWN.

Mr. Vitovich made a motion to approve. Mr. Johncola seconded the motion.

Mr. Sewalk explained the resolution is part of Moxham Part II project.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola (5).

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

Resolution No. 9939

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO SUBMIT THE NECESSARY PAPERWORK ON BEHALF OF SIPPEL DEVELOPMENT COMPANY, INCORPORATED,

TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION IN ORDER TO SUPPLY THE HIGHWAY RESTORATION AND MAINTENANCE BOND FOR THE MOXHAM PART II SANITARY STORM SEWER SEPARATION PROJECT CONTRACT 2017-04.

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

Mr. Sewalk explained the resolution related to the Moxham Part II project with a different contractor.

The motion passed by the following vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola,  
Mrs. Mock (5).

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

Resolution No. 9940

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN AN AGREEMENT TO EXTEND THE CURRENT AGREEMENT BETWEEN THE CITY OF JOHNSTOWN AND THE EADS GROUP, INC. FOR ENGINEERING PROFESSIONAL SERVICES UNTIL JANUARY 2ND, 2018 AND TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

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

Attorney Benjamin explained this resolution authorized the City Manager to take any and all necessary efforts to get an amended professional services agreement extended through January 2018, noting that the current agreement expired. She explained this resolution would amend the agreement's term from April 10, 2012 through January 2, 2018.

The motion passed by the following vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola,  
Mrs. Mock (5).

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

Resolution No. 9941

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO TAKE AND AND ALL ACTIONS NECESSARY TO SUBMIT A GRANT APPLICATION TO THE SOUTHERN ALLEGHENIES PLANNING AND DEVELOPMENT COMMISSION, (SAP & DC) FOR AND IN CONNECTION WITH AN URBAN CONNECTIVITY PLAN SEEKING A TOTAL GRANT AMOUNT OF \$30,000.

Mrs. Mock made a motion to approve. Mrs. Stanton seconded the motion.

The resolution related to the James E. Mayer Trail.

The motion passed by the following vote:

Yeas: Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola,  
Mrs. Mock, Mrs. Stanton, Mr. Vitovich (7).

Nays: None (0).

Resolution No. 9942

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANGER TO SIGN A CONTRACT WITH STEEL VALLEY CONTRACTORS, LLC. IN THE AMOUNT OF \$145,500 FOR CONTRACT #2017-11, CDBG STRUCTURE DEMOLITION PROGRAM TO DEMOLISH EIGHTEEN (18) STRUCTURES THROUGHOUT THE CITY OF JOHNSTOWN.

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

Mrs. Stanton made a motion to amend by removing 717 Park Avenue, a property owned by the county, and 344 Corrine Street, from the list. There was no second. Motion failed.

There was a discussion regarding the two properties.

Mr. Williams made a motion to table for further clarification. There was no second.

Attorney Benjamin suggested the wording in the resolution be changed to include all properties except the one spoken of contingent upon confirmation of ownership by the Cambria County Redevelopment Authority.

Mr. Johncola made a motion to approve as written. There was no second.

Mr. Williams made a motion to remove 717 Park Avenue from the list and keep 344 Corrine Street on the list since the bank would not assume responsibility.  
Mrs. Stanton seconded the motion.

The City Manager stated an amendment would change the award.

The motion failed by the following vote:

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

Nays: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,  
Mr. Vizza (5).

Mr. Johncola made a motion to take all 18 properties down. Mrs. Mock seconded the motion.

Mr. Williams made a motion to approve subject to the Solicitor reviewing the eligibility for 717 Park Avenue to be demolished with City funds and not the responsibility of the Cambria County Redevelopment Authority. Mrs. Stanton seconded the motion.

There was further discussion on the motion.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton,  
Mr. Vitovich, Mr. Vizza, Mr. Williams (7).

Nays: None (0).

Resolution No. 9943

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2017 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 Mr. Vitovich and passed by the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza,

Mr. Williams, Mayor Janakovic (7).  
Nays: None (0).

Mr. Williams asked that the transfers that did not require a resolution be made part of the Minutes.

Resolution No. 9944

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A SECTION 108 LOAN GUARANTEE IN THE AMOUNT OF \$5,600,000.00 IN SUPPORT OF THE SEWER UPGRADE PROJECT AND WASHINGTON STREET PARKING LOT UPGRADES.

Mr. Vitovich made a motion to approve. Mr. Vizza seconded the motion.

Mr. Liston stated the Washington Street lot would be separated into two sections, one for Public Safety employees and City employees and the Locust Street side would be for public parking. He noted revenues of approximately \$45,000 would be generated through parking meters, and if payments could not be made through the parking revenue stream, the funds would then be backed by CDBG who would then pay the rest. He further noted that if the CDBG monies were not available, the City would back out.

The City Manager noted the Washington Street lot was listed on the market for \$75,000 for almost a year, and no offers had been received.

He noted that revenues received would either stop the sewage fee increase or there could be a possible reduction.

Mrs. Stanton discussed the property taxes on the Washington Street lot. She also expressed her concerns about the City borrowing more money at a time when income was projected to decrease in the next few years, and there will be no money to meet the financial obligations.

Mayor Janakovic reminded Mr. Williams and Mrs. Stanton that they made a complaint against the City, because the parking lot did not meet standards because it was not paved. He reviewed the plans that were discussed years ago with regard to that lot.

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After an intense discussion, Mayor Janakovic ruled, "that the meeting was totally out of control".

Mr. Williams made a motion to adjourn. Mrs. Stanton seconded the motion.

The motion with regard to Resolution No. 9944 passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,  
Mr. Johncola (5).

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

Mr. Williams made a motion to adjourn. Mrs. Stanton seconded the motion. There was no vote on the motion.

Mr. Williams exited the meeting at 9:20 p.m.

Attorney Benjamin explained that Resolution No. 9944 was not a loan but an authorization for the City Manager to take the necessary steps to submit an application for a loan and other procedures that would be taken following the grant of that application.

Mayor Janakovic, on behalf of himself and Councilmembers, offered an apology to those present at the meeting.

### MOTIONS

None.

### NEW BUSINESS:

None.

### OLD BUSINESS:

Mrs. Stanton submitted communications this past February to the City Manager and Councilmembers with regard to an inlet at Northwood Avenue and Derby Street that blocks and floods Derby Street during a rainstorm.



Mrs. Stanton made a motion to contact Upper Yoder Township with regard to the problem.

It was noted that part of Northwood was in the City. Mr. Liston will ask the engineer to investigate the matter further.

Mayor Janakovic stated that he, on behalf of himself, Council and the City residents, submitted a letter to Congressman Rothfus in support of a House Bill with regard to funding and reviewing the way mandates are handed down to Johnstown and the other boroughs and townships.

#### PUBLIC COMMENT-NON-AGENDA ITEMS

Herb Ewald, 335 Southmont Boulevard, on behalf of Walnut Grove Church of the Brethren, Johnstown, addressed Council with regard to lack of communications between the Johnstown Police Department, citizens and victims of crime. He spoke with regard to the resultant damage from break-ins at the church. He noted that after eight months he has received no further information regarding the break-ins.

Mayor Janakovic requested the Acting Chief investigate the matter further.

Joseph Warhul, 44 Clover Street, addressed Council with regard to a member of the Johnstown Housing Authority Board being incarcerated. He stated the member was asked to step down, and that if he does not, Mr. Warhul was expecting his elected officials "to remove him from office". He further discussed additional Johnstown Housing Authority matters.

There was a discussion regarding an invitation from the Johnstown Housing Authority for Councilmembers to attend a meeting.

Allen Higbee, 108 Dell Street, President of the Young Professional of the Alleghenies. He discussed the downtown partnerships, young entrepreneurs and business owners. He asked Councilmembers to support the Escape Room event, which will be held on Saturday, April 15, 2017.

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council and Attorney Benjamin regarding an approved motion to introduce the hate crimes ordinance at the March 8, 2017 council meeting that was never introduced. He inquired whether the ordinance would be on the May 10 meeting agenda or should he consider legal action to force the motion to be passed. Attorney

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Benjamin will review the matter further and prepare an ordinance for the next meeting.

The next regular meeting is scheduled for May 10, 2017.

There being no further business, the meeting was adjourned at 10:15 p.m.