

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 10007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ALLOCATE FUNDS FOR THE CREATION OF THE CITY CLERK POSITION WITHIN THE 2017 CITY OF JOHNSTOWN OPERATING BUDGET, AND MORE SPECIFICALLY, BUDGET EXHIBIT (A) AS DETAILED BELOW:

<u>GENERAL FUND</u>				ADJ BUDGET
<u>DEPARTMENT</u>	<u>TR. TO LINE ITEM</u>	<u>TR FROM LINE ITEM</u>	<u>AMOUNT</u>	<u>BALANCE</u>
Legislative Body	01-400-14-000-00	01-401-14-000-00	\$6,153.84	\$22,853.84
Legislative Body	01-400-14-000-01	01-401-18-001-00	\$266.70	\$266.70
Legislative Body	01-400-19-003-00	01-401-19-003-00	\$25.00	\$25.00
Legislative Body	01-400-19-004-00	01-401-19-006-00	\$30.00	\$30.00
Legislative Body	01-400-19-006-00	01-401-19-006-00	\$30.00	\$30.00
Legislative Body	01-400-19-007-00	01-401-19-007-00	\$500.00	\$500.00
Legislative Body	01-400-19-008-00	01-401-19-008-00	(\$400.00)	(\$400.00)
Legislative Body	01-400-19-009-00	01-401-19-009-00	\$2,666.67	\$2,666.67
Legislative Body	01-400-19-004-00	01-401-19-011-00	\$20.00	\$20.00

ADOPTED:

November 8, 2017

By the following vote~

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

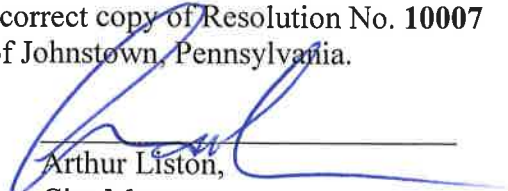
Nays: Mr. Williams, Mrs. Stanton. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10007 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Arthur Liston,
City Manager

CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA
RESOLUTION NO. 10008 (AS AMENDED)

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPOINTING NANCY CUSHING TO SERVE AS CITY CLERK EFFECTIVE NOVEMBER 9, 2017.

WHEREAS, the City of Johnstown's Home Rule Charter provides that Council may appoint a City Clerk whose duties shall include the keeping of an accurate, unbiased record of all meetings of the Council, serve as custodian of and notary for the official records, documents, and seal of the City, and administering oaths in connection with City Offices unless otherwise provided for by law or the Charter, as well as other duties specified in the Administrative Code at Title VI, Chapter 226, Section 226.025; and

WHEREAS, Council, via passage of certain wage and salary amendments adopted via Ordinance No. 5242, on November 8, 2017, duly appropriated funds to establish a City Clerk position; and

WHEREAS, Council believes that Nancy Cushing is uniquely qualified for the position and is the most appropriate selection to serve in this role;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that Nancy Cushing is hereby appointed as City of Johnstown City Clerk.

IT IS HEREBY FURTHER RESOLVED that this Resolution shall be effective November 9, 2017.


ADOPTED:

November 8, 2017

By the following Vote:

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

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



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10008** as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE AND/OR CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO SEEK AND OBTAIN PROPOSALS FOR THE BORROWING OF A 2018 TAX ANTICIPATION NOTE IN AN AMOUNT NOT TO EXCEED \$1,500,000 AND FOR CLOSING NO LATER THAN DECEMBER 31, 2017.

WHEREAS, the City of Johnstown ("Local Government Unit") expects to receive current revenues, as yet uncollected, during the first two quarters of fiscal year ending December 31, 2018; and

WHEREAS, the Local Government Unit will have inadequate funds for operating expenditures during the first two quarters of 2018, based on funds flow analysis of tax receipts; and

WHEREAS, the Local Government Unit has determined that it is necessary to borrow for the purpose of meeting expenses during the first two quarters of 2018 by issuing a note, to be repaid from anticipated revenues.

NOW, THEREFORE, BE IT RESOLVED, by the City Council (hereafter the "Governing Body") of the Local Government Unit, directs and authorizes the Director of Finance and/or City Manager to seek proposals and/or written quotes for the borrowing of funds through a Tax Anticipation Note not to exceed \$1,500,000 and for closing no later than December 31, 2017, subject to the final adoption of the 2017 City of Johnstown operating budget by City Council.


ADOPTED:

November 8, 2017

By the following vote:

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

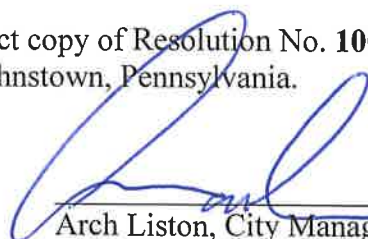
Nays: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10009** as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

City Solicitor's Review and Approval

Pursuant to Home Rule Charter ARTICLE VIII. CITY SOLICITOR; Duties §11.8-801.

_____ Date: _____
The Beard Legal Group-City Solicitors

RESOLUTION NO. 10010
For consideration on November 8, 2017
Submitted by Mrs. Stanton & Mr. Williams

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY MANAGER TO PLACE THE REQUIRED SUNSHINE/OPEN MEETING PUBLIC NOTICE FOR 5:00 P.M. PREVAILING TIME ;TUESDAY JANUARY 2, 2018 CITY COUNCIL'S REORGANIZATION MEETING PURSUANT;

WHEREAS, Home Rule Charter § 11.2-209. Organization of Council.

(a) The Council shall organize on the first Monday of January of each even-numbered year. If the first Monday is a legal holiday, the meeting and organization shall take place the first day following. The Council may transact any further business it deems necessary or appropriate at the organizational meeting; and

WHEREAS, Administrative Code Ordinance No. 4654, as amended.

SECTION 203. Organization of Council. The Council shall organize on the first Monday of January of each even-numbered year at a time set by Council. If the first Monday is a legal holiday, the meeting and organization shall take place the first day following. The Council may transact any further business it deems necessary or appropriate at the organizational meeting which shall include adopting rules of procedure. At the organizational meeting, the Council shall elect, from among its members, a Deputy Mayor.

WHEREAS, Commonwealth of Pennsylvania Sunshine Act, 65 Pa. C.S. §§ 701 et seq.

§ 709. Public notice.

Meetings.--An agency shall give public notice of its first regular meeting of each calendar or fiscal year not less than three days in advance of the meeting and shall give public notice of the schedule of its remaining regular meetings.

Passed finally:


November 8, 2017

By the following vote~

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr.

Johncola, Mrs. Mock. (7)

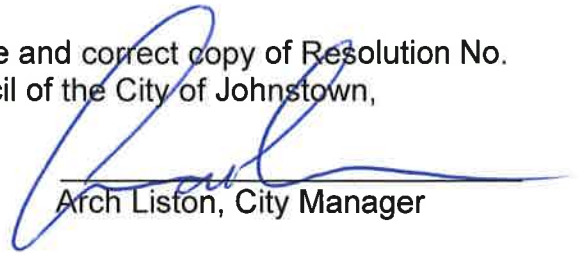
Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10010** as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

City Solicitor's Review and Approval

Pursuant to Home Rule Charter ARTICLE VIII. CITY SOLICITOR; Duties §11.8-801.

Date: _____
The Beard Legal Group-City Solicitors

RESOLUTION NO. 10011
For consideration on November 8, 2017
Submitted by Mrs. Stanton & Mr. Williams

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA EXTENDING THE APPOINTMENT OF THE BEARD LEGAL GROUP AS CITY SOLICITORS THRU AND INCLUDING JANUARY 2, 2018, AT WHICH TIME CITY COUNCIL WILL BE HOLDING THE MANDATED REORGANIZATION MEETING, WITH FURTHER ACTION IN APPOINTING A CITY SOLICITOR TO BE DETERMINED BY THE NEWLY ORGANIZED GOVERNING BODY.

WHEREAS, City Council on January 4, 2017, passed Resolution No. 9801 appointing the law firm of Andrews and Beard as City Solicitors for the calendar years of 2016 and 2017; and

WHEREAS, upon David Andrews, Esq., of Andrews and Beard ending his practice/involvement with Andrews and Beard, the Beard Legal Group assumed and continued in service as the City of Johnstown's Municipal Solicitors under terms of Resolution No. 9801; and

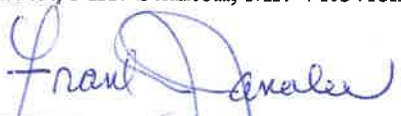
WHEREAS, with said appointment ending on December 31, 2017, and City Council Reorganizing on Tuesday, January 2, 2018, the current Council in order to insure adequate and required legal counsel is in place and authorized, desires to extend the Beard Legal Group as City Solicitors until further action can be considered at or following the January 2, 2018 City Council Reorganization Meeting.

ADOPTED:

November 8, 2017

By the following vote:

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



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10011 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10012

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 GAPVAX, INC. TO RESOLVE A TAX ASSESSMENT APPEAL REGARDING PROPERTY LOCATED AT 575 INDUSTRIAL AVENUE JOHNSTOWN, PA 15902, AND TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

WHEREAS, GAPVAX, Inc., filed a Tax Assessment Appeal in the Court of Common Pleas of Cambria County at Docket No. 2017-1837, challenging the estimated fair market value of \$6,359,514.00 assigned to its property located at 575 Industrial Avenue Johnstown, PA 15902: and

WHEREAS, after the parties exchanged appraisals, the parties, to include the City, the Cambria County Tax Assessment Office and the Greater Johnstown School District have engaged in settlement discussions with GapVax and identified a value on the property of \$2,400,000 a reasonable value upon which to resolve the matter; and

WHEREAS, prior to the re-assessment of the property, the City received \$8,589.74 a year in Real Estate Taxes for the property, and with the new agreed upon value of \$2,400,000, the City will receive an estimated amount of \$30,489.00, which constitutes an increase of \$21,899.26 in tax proceeds while also avoiding the burden, expense, and uncertainty of further litigation; and

WHEREAS, the proposed settlement agreement is attached hereto as Attachment A;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA TO AUTHORIZE THE CITY MANAGER AND CITY SOLICITOR TO EXECUTE AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE THE ATTACHED SETTLEMENT AGREEMENT TO RESOLVE THE TAX ASSESSMENT APPEAL ADDRESSING THE LITIGATION FILED BY FOR THE GAPVAX, INC., IN RELATION TO PROPERTY LOCATED AT 575 INDUSTRIAL AVENUE JOHNSTOWN, PA 15902 FOR A FAIR MARKET VALUE OF \$2,400,000.

ADOPTED:

November 8, 2017

By the following vote:

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

Nays: None (0)

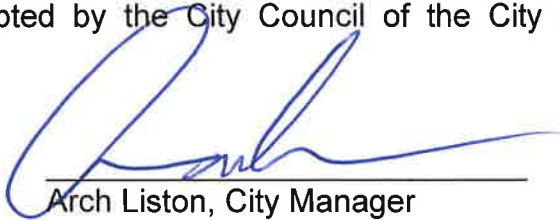
Abstain: Mrs. Mock. (1)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution
No. **10012** As the same was adopted by the City Council of the City of
Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10013

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JOHSTOWN,
PENNSYLVANIA, AUTHORIZING THE ALLOCATION OF 2017 FUNDS FROM
THE GENERAL MUNICIPAL PENSION SYSTEM STATE AID PROGRAM

WHEREAS, Act 205 of 1984 established the General Municipal Pension System State Aid Program, to provide annual allocations to the municipalities of the Commonwealth beginning in October, 1985; and

WHEREAS, this State Aid is funded by the entire proceeds of Foreign Casualty Insurance Premium Tax and a portion of the State's Fire Insurance Premium Tax; and

WHEREAS, Act 205 replaced the annual allocation of Foreign Casualty Insurance Premium Tax Proceeds and Foreign Fire Insurance Tax Proceeds to offset police pension and paid fire pension costs, respectively; and

WHEREAS, the 2017 General Municipal Pension System State Aid for Johnstown, in the amount of \$936,003.69 has been forwarded to the Trustee by the Department of the Auditor General; and

WHEREAS, under Act 205, the governing body of the municipality determines, during the period September 23, 2017 to October 22, 2017, the allocation of the 2017 General Municipal Pension System State Aid to the City of Johnstown's Pension Funds – Police, Fire, Sewage, and the Officers' and Employees' (Non-Uniformed).

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Johnstown, Pennsylvania, hereby allocates the 2017 General Municipal Pension System State Aid Funds as follows:

Police	\$318,241.25
Fire	383,761.52
Sewage	37,440.15
Officers' & Employees' (Non-Uniformed)	<u>196,560.77</u>
TOTAL	\$936,003.69

ADOPTED:
By the following vote:

November 8, 2017

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

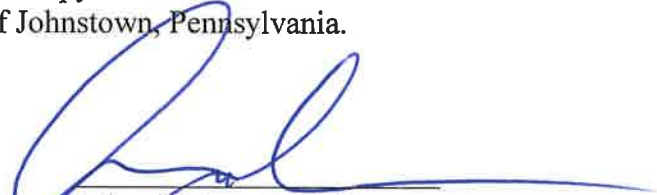
Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution **10013** as
the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Arthur Liston, City Manager

City of Johnstown, Pennsylvania

Resolution No. 10014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO TAKE ANY/ALL ACTIONS NECESSARY TO SUBMIT A GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR AN INDUSTRIAL SITE REUSE PROGRAM GRANT IN THE AMOUNT OF \$175,000.00 IN SUPPORT OF THE REMOVAL OF HAZARDOUS MATERIALS LOCATED AT 303 FRANKLIN STREET.

WHEREAS, the PA Department of Community and Economic Development (DCED) provides funding under the Industrial Site Reuse Program (ISRP); and

WHEREAS, the City has identified an eligible project to apply for the ISRP funding through the removal of hazardous material from 303 Franklin Street (the Conrad Building); and

WHEREAS, the City submitted a Letter of Intent on September 20, 2017; and

WHEREAS, the PA DCED has determined the project meets the minimum eligibility requirements of the ISRP and has advised to submit an application.

NOW THEREFORE, BE IT RESOLVED that the City Manager of the City of Johnstown is hereby authorized to take any and all actions necessary to submit a Pennsylvania Department of Community and Economic Development Industrial Site Reuse Program grant in the amount of \$175,000 in support of the removal of hazardous materials located at 303 Franklin Street.


ADOPTED:

November 8, 2017

By the following vote:

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

Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10014 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, AUTHORIZING AND DIRECTING THE CITY MANAGER AND ECONOMIC DEVELOPMENT COORDINATOR TO TAKE ANY AND ALL ACTIONS NECESSARY TO SEEK AND OBTAIN PROPOSALS FOR THE PURPOSES OF THE SALE OF REAL PROPERTY AT 530 FRANKLIN STREET, JOHNSTOWN, PA WHICH IS NOT NEEDED FOR PUBLIC USE BY THE CITY OF JOHNSTOWN.

WHEREAS, the City of Johnstown has determined that there is a need to seek and obtain proposals for the purposes of the sale of real property not needed for public use by the City of Johnstown; and

WHEREAS, the City of Johnstown, its City Council and its Administrators have found that such property located at 530 Franklin Street, Johnstown, PA is an undevelopable side lot with dimensions of twenty-five (25') feet by seventy (70') feet; and


NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, directs and authorizes the City Manager and Economic Development Coordinator to take any and all actions necessary to seek and obtain proposals for the purposes of the sale of real property not needed for public use by the City of Johnstown, which shall be contingent upon the final passage of an ordinance by the City Council of the City of Johnstown authorizing such sale in accordance with the City of Johnstown's City Charter.

ADOPTED:

November 8, 2017

By the following votes:

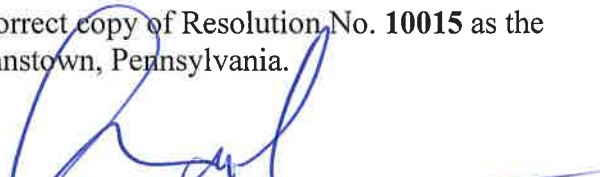
Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola,
Mrs. Mock. (7)
Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10015** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10016

A RESOLUTION OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, COMMONWEALTH OF PENNSYLVANIA AMENDING RESOLUTION NO. 9995 TO CONFIRM A LACK OF OBJECTION FROM THE PUBLIC AND ELIMINATING REFERENCES TO A PLCB HEARING IN RELATION TO THE TRANSFER OF LIQUOR LICENSE NUMBER R-8203 INTO THE CITY OF JOHNSTOWN FROM PORTAGE BOROUGH.

WHEREAS, the City of Johnstown passed Resolution 9995 approving the transfer of liquor license number R-8203 into the City of Johnstown from Portage Borough, with said transfer occurring from Garrett Family Inc. 601 Bedford Street Portage, PA 15946 to Wolf's Den Properties, LLC, which will trade as Wolf's Den Properties LLC d/b/a The Sundown Saloon, 101 Washington Street, Johnstown, PA 15901; and

WHEREAS, the transferee and PLCB have requested for purposes of facilitating the liquor license transfer, that certain amendments be made to the Resolution to confirm particular circumstances of the matter, to include deletion of the reference to the PLCB holding a hearing and further adding notation of the opportunity for public comment and lack of objections raised at the September 13, 2017 public meeting approving said liquor license transfer; and

WHEREAS, a version of Resolution 9995 reflecting the requested amendments is attached;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Johnstown hereby amends Resolution No. 9995 as shown by deleting reference to the PLCB holding a hearing and further adding notation of the opportunity for public comment and lack of objections raised at the September 13, 2017 public meeting approving said liquor license transfer, as shown in the proposed amended version of Resolution 9995 attached to this Resolution.

ADOPTED:

By the following Vote:

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

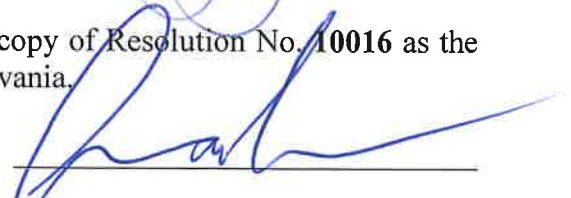
Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10016** as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

Attachment A

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9995 (as amended)

A RESOLUTION OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, COMMONWEALTH OF PENNSYLVANIA APPROVING TRANSFER OF LIQUOR LICENSE NUMBER R-8203 INTO THE CITY OF JOHNSTOWN FROM PORTAGE BOROUGH.

WHEREAS, Act 141 of 2000 (the Act), which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provide for in section 461 of the Liquor Code, if sales of liquor and malt beverages are legal in the municipality receiving the license; and

WHEREAS, the receiving municipality must issue a resolution approving the transfer of the liquor license outside the municipality to inside the municipality, and

~~WHEREAS, amendments to the Liquor Code stipulate that, prior to the adoption of a resolution by the receiving municipality, at least one hearing must be held by the PLCB for the purpose of permitting interested parties to state their concerns regarding the transfer of a liquor license into the receiving municipality; and~~

WHEREAS, an application for transfer filed under the Act for purposes of pursuing such matters must contain a copy of the Resolution adopted by the municipality approving the transfer of the liquor license into the municipality, and

WHEREAS, the proposed liquor license transfer was included on the Public Agenda for the September 13, 2017 City Council meeting, an opportunity for hearing of the public and acceptance of public comment on said Resolution was afforded at the beginning of said meeting, and no objections or other commentary was offered with respect to the proposed liquor license transfer; and

WHEREAS, the City of Johnstown finds that a transfer of a liquor license into the City of Johnstown by Wolf's Den Properties, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Johnstown hereby approves Wolf's Den Properties, LLC, request and further approves of the proposed transfer of Pennsylvania Liquor License #R-8203 from **Garrett Family Inc. 601 Bedford Street Portage, PA 15946** to Wolf's Den Properties, LLC, which will trade as Wolf's Den Properties LLC dba The Sundown Saloon, 101 Washington Street, Johnstown, PA 15901, with the understanding that the ultimate approval of said transfer must occur at a later date by the Pennsylvania Liquor Control Board.

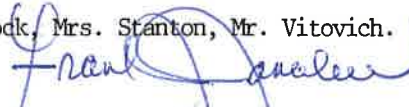
ADOPTED:

By the following Vote:

November 8, 2017

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

Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9995 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA
RESOLUTION NO. 10017

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY SOLICITOR AND CITY MANAGER TO DEVELOP AND EXECUTE, RESPECTIVELY, AN AGREEMENT FOR THE PURCHASE OF CERTAIN PROPERTY REFERENCED HEREIN AS 722 BARCLAY STREET, FROM FIRST SUMMIT BANK IN AN AMOUNT NOT TO EXCEED \$6,000.00, AND FURTHER AUTHORIZING THE CITY MANAGER TO UTILIZE INNER CITY SEWER FUNDS FOR SAID PURCHASE AND TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE SAME, RESPECTIVELY.

WHEREAS, the City of Johnstown has undertaken a project involving the construction and rehabilitation of its inner city sewer system (hereinafter "City Sewer Rehabilitation Project"); and

WHEREAS, in connection with work to be performed on the City Sewer Rehabilitation Project the City has encountered a vacant property at Tax Map No. 76-008-302.00, Dist. No. 76, Control No. 815, and known as 722 Barclay Street, Johnstown, Pennsylvania for which the sewer work to be performed by the City will cause the City to incur construction cost estimated at \$50,000, to ultimately be paid out of the City's PENNVEST loan funding and local sewer funds; and

WHEREAS, the City will incur significant savings and avoid the incurrence of further indebtedness for its sewer construction project by purchasing and ultimately demolishing the property in lieu of completing the City Sewer Rehabilitation Project work for same; and

WHEREAS, the property is currently vacant, owned by First Summit Bank, and confirmed as being available for sale for an amount not to exceed \$6,000.00, inclusive of its adjoining lot at Tax Map Parcel No. 76-008-302.00, Dist. No. 76, Control No. 864; and

WHEREAS, the City imposes monthly sewer rental charges for the use, whether or direct or indirect of the City's sewage collection system; and

WHEREAS, the City Council hereby determines that the expense of acquiring the property, arises in connection with the City Sewer Rehabilitation Project and ultimately reduces costs pertaining to that project and avoid the incurrence of a certain amount of further indebtedness for the sewer construction costs that would otherwise be required; and

WHEREAS, any agreement developed to purchase the property shall be made contingent upon receipt of satisfactory title search results and confirmation of clear title to the property;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City of Johnstown hereby authorizes the acquisition and purchase of a vacant property and adjoining lot located at 722 Barclay Street, Johnstown, PA from First Summit Bank, in an amount not to exceed \$6,000.00, contingent upon a satisfactory title search, and confirmation of clear title; and further authorizes the City Solicitor and City Manager to develop and execute, respectively,

an Agreement of Sale and authorizes the City Manager to utilize inner city sewer funds, take any/all other actions necessary, to effectuate same.


ADOPTED:

November 8, 2017

By the following Vote:

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

Nays: Mrs. Stanton (1)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10017** as the same by the City Council of the City of Johnstown, Pennsylvania.

Peter Vizza, Deputy Mayor

CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA
RESOLUTION NO. 10018

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER SIGN ALL DOCUMENTS NECESSARY TO IMPLEMENT AMENDMENTS TO THE INVESTMENT MANAGEMENT AND AGREEMENT OF TRUST BY AND BETWEEN THE CITY OF JOHNSTOWN COMBINED PENSION PLAN AND STATE STREET GLOBAL ADVISERS TRUST COMPANY TO IMPLEMENT AN UPDATED FEE SCHEDULE AND CERTAIN OTHER TERMS AND CONDITIONS SPECIFIED HEREIN.

WHEREAS, the City of Johnstown is party to an investment management agreement originally dated September 17, 2007 and with State Street Bank & Trust Company and later assigned to State Street Global Advisors Trust Company on April 1, 2017; and

WHEREAS, the City of Johnstown is likewise party to an agreement dated December 14, 2007 between the City of Johnstown Combined Pension Plan and State Street Global Advisors Trust Company in its capacity as trustee, following its appointment as successor trustee of the grantor trust by State Street Bank & Trust Company; and

WHEREAS, State Street Global Advisors have recommended certain amendments to the aforementioned agreements in order to implement updated investment guidelines, updated language addressing obligations under federal law to disclose the identities of clients opening accounts and updated fee schedule providing for a flat fee of .45% intended to be more advantageous for the City of Johnstown; and

WHEREAS, the effective date of the new fee schedule will and is intended to be retroactive to October 1, 2017, I.e., the first day of the current quarter in which the agreements are executed, if the attached agreements implementing amendments are executed prior to December 31, 2017; and

WHEREAS, the updated investment guidelines will be given an effective date identified as one week after the date on which the agreements are signed by all parties;

WHEREAS, the City of Johnstown Pension Board has reviewed and approved the proposed agreements, which are attached hereto as Attachment A ("Investment Management Agreement Amendment") and Attachment B ("Trust Agreement Amendment");

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City Council of the City of Johnstown authorizes the City Manager to sign the attached agreements implementing amendments to the Investment Management Agreement and the Agreement of Trust, with a retroactive date of November 8, 2017

applicable to each amending agreement, and implementing additional effective dates for the fee schedule and investment guidelines as provided herein.

ADOPTED:

November 8, 2017

By the following Vote:

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

Nays: None (0)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10018** as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager