

Date: \_\_\_\_\_

David P. Andrews, Esq.

City of Johnstown, Pennsylvania

Ordinance No. 5196

Bill 10 of 2016

By: Councilwoman Stanton  
Councilman Williams

Introduced in Council  
on February 10, 2016

AN ORDINANCE

AMENDING ORDINANCE NO. 4654, titled:

AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE CODE FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, DESIGNATING THE POWERS AND DUTIES OF THE COUNCIL, THE 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, as amended by Ordinances Nos. 4693, 4731, 4880, 4894, 4902, 4908, 4991, 5015, 5024, 5034, 5042, 5055, 5058, 5069) and Ordinance No. 5177 adopted by May 19, 2015 Voter Referendum; by further amending and adding Bonding requirements for the positions of City Manager and City Director of Finance

NOW, THEREFORE, The City of Johnstown, Pennsylvania, hereby ordains:

**SECTION 1**

ARTICLE IV - CITY Manager

SECTION 401. City Manager. Council shall appoint a City Manager, who may not be a member of Council, and shall become a bona fide resident and domiciliary of the City within one hundred and eighty (180) days of assuming office and shall remain a resident and domiciliary while in office.

(a) The appointment or dismissal of the City Manager shall be by vote of at least five (5) members of Council and dismissal need not be for cause.

(b) The City Manager shall be the chief executive officer of the City and shall be responsible to Council for the administration of all City affairs placed in the City Managers charge.

**ADD: (c) The City Manager upon appointment, and no later than (30) days following the execution of any Employment Agreement SHALL be required to be bonded in an amount not less than (\$500,000) Five-Hundred-Thousand-Dollars at the expense and thru budgetary appropriations in the annual City of Johnstown Operating Budgets.**

**(d) The failure of any appointed City Manager to obtain the required bonding, and to maintain such bonding at any during the term of Employment Agreement SHALL result in immediate dismissal for cause as Johnstown City Manager.**

SECTION 802. Department of Finance. The Department of Finance shall be responsible for the administration of activities pertaining to the receipt, expenditure, accounting, investment, custody and control of City funds and assets, except to the extent that such activities are expressly charged by law, the Charter or ordinance to any other City unit.

(a) Department Director. The Department of Finance shall be headed by a Director of Finance who shall be responsible to the City Manager for the performance of the function of the department.

**ADD: (a) (1) The City's Director of Finance upon appointment, and no later than (30) days following SHALL be required to be bonded in an amount not less than (\$500,000) Five-Hundred-Thousand-Dollars at the expense and thru budgetary appropriations in the annual City of Johnstown Operating Budgets.**

**(a) (2) The failure of any appointed Director of Finance to obtain the required bonding, and to maintain such bonding at any during employment as Director of Finance SHALL result in immediate dismissal for cause as City of Johnstown's Director of Finance.**

## **SECTION 2**

Upon final adoption of this Ordinance, and no later than (21) days following, the City manager Shall solicit written Request for Proposals for the aforementioned bonding of the positions and person holding such positions, and to submit to Council at the next timely Council Meeting a Resolution authorizing the execution of any and all bonding documents, and to make the necessary and required debit(s) to 2016 City of Johnstown Operating Budget line item #01-405-31-049-00 Other Non-Department Professional Services (2016 Appropriation \$100,000).

**SECTION 3.** All ordinances or part in conflict herein are in the same are hereby repealed.

**SECTION 4.** This ordinance shall become effective upon final passage.

PASSED FINALLY IN COUNCIL:

February 24, 2016

by the following vote:

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

Nays: None (0)

Absent: Mr. Williams. (1)




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Frank J. Janakovic, Mayor

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Peter Vizza, Deputy Mayor

ATTEST: Melissa Komar, City Manager

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. **5196**, as the same was passed finally by City Council and signed by the Mayor and/or Deputy Mayor of the City of Johnstown, Pennsylvania.



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Melissa Komar, City Manager