

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, JANUARY 20, 2016

ANTHONY C. TRUSCELLO COUNCIL CHAMBERS

EXECUTIVE SESSION 5:30PM

REGULAR MEETING 6:00 PM

LEGEND: \* Document forwarded with agenda

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES OF PREVIOUS MEETINGS

1. December 22, 2015 Public Hearing
2. December 22, 2015 Special Meeting

COURTESY OF THE FLOOR

1. Matt Banizewski, 527 Franklin St. re: code violations
2. John DeBartola, 1197 Bedford St., Johnstown- Re: City Government
3. William Polacek, JWF Industries, 84 Iron St. re: Update on Vision 2025

REPORT BY THE CITY MANAGER

REPORT BY THE MAYOR

REPORT BY THE CITY SOLICITOR

REPORT BY THE CITY ENGINEER

REPORT ON PRIOR YEARS AUDIT FINDINGS

1. January 20, 2016 Communication RE: Prior Years Audits (CDBG Fund)
2. January 20, 2016 Communication from Councilman Williams RE: Inner City Sewer Project

COUNCIL COMMITTEE REPORTS

REPORTS NEIGHBORHOOD LIAISONS

## COMMUNICATIONS

1. Code Complaints of Dec. 21, 2015 from Charlene Stanton:
  - a. 1480 Franklin Street
  - b. 1100 Boyd Avenue
  - c. Across from 1092 Boyd Avenue
  - d. Red brick structure up Skelly St from Franklin St at top of hill
  - e. Corner of Boyd & Akers across railroad track
2. January 12, 2016 request from JoAnn Tomb to amend code 3599 re: abandoned cats
3. January 13, 2016 from Councilman Williams RE: ITSI Bioscience Loan
4. January 14, 2016 from Councilman Williams RE: Inner City Sewer Project
5. January 20, 2016 from Councilwoman Stanton & Councilman Williams RE:  
Proposed amendment to 2016 Wage & Salary Ordinance
6. January 20, 2016 from Councilwoman Stanton & Councilman Williams RE:  
Resolution City Manager Search
7. January 12, 2016 request from Sandy Pettibone of Nardecchia Spay Neuter Fund to amend  
code #3599 re: abandoned cats
8. January 13, 2016 request from Dawn Kinsey re: abandoned cats
9. January 13, 2016 request from Cindy Plocharski re: abandoned cats

## PETITIONS

### ORDINANCES FOR FINAL READ

1. BILL #03 OF 2016 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 REGSITRATION AND MORE SPECIFICALLY, SUBSECTION: 1484.05 REGISTRATION AND LICENSING OF RESIDENTIAL RENTAL PROPERTIES, BY ADDING SUBSECTION.
2. BILL #04 OF 2016 ESTABLISHING "THE ETHICS CODE OF THE CITY OF JOHNSTOWN, PENNSYLVANIA" FOR ALL ELECTED AND APPOINTED OFFICIALS, AND APPOINTEES TO AGENCIES BY JOHNSTOWN CITY COUNCIL, BY ESTABLISHING STANDARDS OF CONDUCT FOR ALL ELECTED OFFICIALS, MEMBERS OF BOARDS, AUTHORITIES AND COMMISSIONS OF THE CITY OF JOHNSTOWN, THE CITY MANAGER, ASSISTANT CITY MANAGER AND DEPARTMENT HEADS AND ESTABLISHING "THE ETHICS BOARD" AND FURTHER BY AMENDING: ORDINANCE NO. 4654, AS AMENDED BY ORDINANCE NOS. 4693, 4731, 4894, 4902 TITLED: 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, BY ADDING A NEW SECTION 1200 TITLED: ETHINCS CODE. (tabled 1/4/16)

3. BILL #05 OF 2016 CREATING A LOAN REVIEW COMMITTEE, AND ESTABLISHING PROCEDURES FOR THE APPROVAL OF ALL ECONOMIC DEVELOPMENT LOANS ADMINISTERED BY THE CITY'S DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT; AND POLICIES FOR WRITING-OFF OF LOANS DEEMED TO BE UNCOLLECTABLE, AND ESTABLISHING A LOAN REVIEW COMMITTEE BOARD CONSISTING OF (7) SEVEN MEMEBERS AS RECOMMENDED BY THE CITY MANAGER, AND CONFIRMED BY CITY COUNCIL FOR TERMS OF (3) THREE YEARS; AND FURTHER BY ESTABLISHING: CHAPTER 295 LOAN REVIEW COMMITTEE UNDER TITLE EIGHT: BOARDS AUTHORITIES AND COMMISSION OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN. (tabled 1/4/16)

ORDINANCES FOR FIRST READ

1. BILL #01 OF 2016 AN ORDINANCE VACATING PAPER STREET NAMED WIDMANN PLACE IN THE THIRD WARD OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE. (tabled 1/4/16)
2. BILL #02 OF 2016 AN ORDINANCE AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF JOHNSTOWN, SECTION 212.A01, BY ADDING A NEW SUBSECTION 5 TO THAT SECTION WHICH SHALL STATE THAT "ANY RESOLUTION MAY NOT BE VOTED UPON UNLESS THE PROPOSED RESOLUTION IS SUBMITTED TO THE CITY MANAGER OR CITY CLERK NOT LESS THAN FOUR (4) CITY BUSINESS DAYS PRIOR TO THE COUNCIL MEETING FOR PLACEMENT ON THE COUNCIL AGENDA."  
\* (tabled 1/4/16)
3. BILL #04 OF 2016 ESTABLISHING "THE ETHICS CODE OF THE CITY OF JOHNSTOWN, PENNSYLVANIA" FOR ALL ELECTED AND APPOINTED OFFICIALS, AND APPOINTEES TO AGENCIES BY JOHNSTOWN CITY COUNCIL, BY ESTABLISHING STANDARDS OF CONDUCT FOR ALL ELECTED OFFICIALS, MEMBERS OF BOARDS, AUTHORITIES AND COMMISSIONS OF THE CITY OF JOHNSTOWN, THE CITY MANAGER, ASSISTANT CITY MANAGER AND DEPARTMENT HEADS AND ESTABLISHING "THE ETHICS BOARD" AND FURTHER BY AMENDING: ORDINANCE NO. 4654, AS AMENDED BY ORDINANCE NOS. 4693, 4731, 4894, 4902 TITLED: 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, BY ADDING A NEW SECTION 1200 TITLED: ETHINCS CODE. (tabled 1/4/16)
4. BILL #06 AN ORDINANCE AMENDING ORDINANCE NO. 5193, PASSED FINALLY ON DECEMBER 22, 2015 FIXING THE SALARIES AND WAGES TO BE PAID ALL ELECTED OFFICIALS AND EMPLOYEES OF THE VARIOUS DEPARTMENTS AND BUREAUS OF THE CITY OF JOHNSTOWN FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2016. \*
5. BILL #07 AN ORDINANCE ESTABLISHING AND CREATING THE CITY OF JOHNSTOWN OWNER-OCCUPIED INNER-CITY SEWER GRANT FUND SUBJECT TO AVAILABLE FUNDING\*
6. BILL #08 AN ORDINANCE AMENDING THE HEALTH AND SANITATION CODE OF THE CITY OF JOHNSTOWN, ADOPTED BY ORDINANCE 3599 ON MARCH 17, 1964, BY ADDING THE FOLLOWING LANGUAGE TO SECTION 1810.04 TO STATE: "IT SHALL NOT BE A VIOLATION OF THIS SECTION OF THE CODE FOR A PERSON TO PLACE FOOD ON HIS OR HER PRIVATE PROPERTY FOR THE SOLE PURPOSE OF CAPTURING FERAL, STRAY OR ABANDONED CATS IN ORDER THAT THESE CATS WILL BE SPAYED OR NEUTERED."\*

7. BILL #09 AN ORDINANCE AMENDING ORDINANCE NO. 5090 PASSED JULY 13, 2011, AND ORDINANCE NO. 5102 PASSED MARCH 28, 2012 ESTABLISHING RESIDENTIAL RENTAL PROPERTY REGISTRATION AND INSPECTION REQUIREMENTS\*

## RESOLUTIONS

1. A RESOLUTION OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO APPROVE A TEMPORARY RIGHT OF ENTRY AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY FOR A PROPERTY LOCATED AT MILEPOST PT-275.00.\*
2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A GRANT AGREEMENT FOR A PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT INDUSTRIAL SITES ENVIRONMENTAL ASSESSMENT FUND GRANT OF FIFTY-SIX THOUSAND, TWO HUNDRED AND FIFTY DOLLARS (\$56,250) TO BE IN THE ENVIRONMENTAL ASSESSMENT OF 641 MAIN STREET AS CONTRACT NO. C000062175.\*
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA REQUESTING THE CITY SOLICITOR TO PROVIDE A WRITTEN LEGAL OPINION REGARDING THE PROPERTY LOCATED IN THE CITY'S 18<sup>TH</sup> WARD WITH BOUNDRIES BETWEEN FAIRFIED AVENUE AND BARRON AVENUE, AND FORMERLY THE SITE OF THE HARRIS-BOYER BAKERY OPERATIONS, AND MORE SPECIFICALLY, DETAILS AND RECORDS OF THE GRANTING "PERMANENT STRUCTURE" STATUS TO WHAT CAN ONLY BE DESCRIBED AS MOTOR VEHICLE TRUCK FRAME MOUNTED BOX STORAGE AND HAULING CONTAINER.\*
4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DESIGNATING MELISSA KOMAR OF THE CITY OF JOHNSTOWN AS THE CITY'S OPEN-RECORDS-OFFICER UNDER PROVISIONS AND MANDATES OF THE COMMONWEALTH OF PENNSYLVANIA'S RIGHT-TO-KNOW LAW, SENATE BILL 1 OF 2007, EFFECTIVE JANUARY 20, 2016.\*
5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA REPEALING RESOLUTION NO, 9791 PASSED ON DECEMBER 9, 2015, APPOINTING MELISSA KOMAR AS CITY AMANGER FOR A TERM OF ONE (1) YEAR, EFFECTIVE UPON PASSAGE OF SAID RESOLUTION.\*
6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA APPOINTING MELISSA KOMAR AS INTERIUM CITY MANGER.\*
7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY SOLICITOR AND THE CITY MANAGER TO GIVE THIRTY (30) DAY NOTICE TO "THE EADS GROUP" OF THE CITY OF JOHNSTOWN INTENT TO TERMINATE THE PROFESSIONAL SERVICE AGREEMENT EXECUTED ON APRIL 10, 2012, AND TO EXPIRE ON APRIL 10, 2017, UNDER PROVISION OF SAID AGREEMENT ARTICLE 6; GENERAL CONSIDERATION; 605 SUSPENSION AND TERMINATION (B) (1) FOR CAUSE (a)\*

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE OFFICE OF THE CITY MANAGER AND/OR THE DIRECTOR OF FINANCE TO PLACE THE PUBLIC NOTICES/ADVERTISEMENTS AS TO THE CITY OF JOHNSTOWN SEEKING AND ACCEPTING RESUMES AND/OR LETTERS OF APPLICATION FOR THE POSITION OF CITY MANAGER. \*

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF JOHNSTOWN AND MELISSA KOMAR FOR A ONE (1) YEAR TERM AT A SALARY OF \$75,000.00.

10. A RESOLUTION OF THE CITY OF JOHNSTOWN PENNSYLVANIA TO DEVELOP TRAINING PROCEDURES AND GUIDELINES FOR ETHICS STANDARDS AND PROCEDURES

11. A RESOLUTION OF THE CITY OF JOHNSTOWN PENNSYLVANIA TO DEVELOP REPORTING PROCEDURES AND GUIDELINES FOR THE LOAN PROGRAMS ADMINISTERED THROUGH THE CITY OF JOHNSTOWN DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

NEW BUSINESS

OLD BUSINESS

ADJOURN

NEXT REGULARLY SCHEDULED MEETING WEDNESDAY, FEBRUARY 10, 2016

