

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, OCTOBER 12, 2016

ANTHONY C. TRUSCELLO COUNCIL CHAMBERS

WORKSHOP 5:00 PM –MOXHAM RENAISSANCE MCAP

EXECUTIVE SESSION 5:30 PM

REGULAR MEETING 6:00 PM

LEGEND: \* Document forwarded with agenda

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES OF PREVIOUS MEETINGS

1. City Council Minutes Special Meeting of August 30, 2016
2. City Council Minutes of September 14, 2016

COURTESY OF THE FLOOR ON AGENDA ITEMS ONLY

REPORT BY THE CITY MANAGER

REPORT BY THE MAYOR

REPORT BY THE CITY SOLICITOR

REPORT ON PRIOR YEARS AUDIT FINDINGS

COUNCIL COMMITTEE REPORTS

REPORTS NEIGHBORHOOD LIAISONS

COMMUNICATIONS

1. Sept. 19 letter from Jack Williams re: Resolution/Unfunded Debt Borrowing
2. Sept. 19 letter from Jack Williams re: Dedicated Real Property Taxes
3. Sept. 19 letter from Jack Williams re: Home rule Charter, Article X Financial Procedures
4. Sept. 20 letter from Jack Williams re: Motion for Solicitor's Written Legal Opinion
5. Oct. 3 letter from Jack Williams re: Conemaugh Health/Duke Life Point
6. Oct. 4 letter from Jack Williams & Charlene Stanton re: Ordinance No. 5166 Compliance

7. Code Complaints from: Joe Warhul-1, Dennis Callahan-1, Virginia Shook-1, Richard Shook-1, Betty ?-1, Helen Mangos-1, ? Mangos-1, Charlene Stanton-6, Charlene Stanton & Jack Williams-5, Jack Williams-1.

#### ORDINANCES FOR FINAL READ

1. BILL 29 OF 2016 AS AMENDED, AN ORDINANCE AMENDING ORDINANCE 4654, THE ADMINISTRATIVE CODE OF THE CITY OF JOHNSTOWN, PASSED FINALLY ON OCTOBER 27, 1993 AND AS AMENDED THEREAFTER, BY FURTHER AMENDING CERTAIN SECTIONS OF ARTICLE II – ELECTED OFFICIALS-COUNCIL ORGANIZATION AND PROCEDURES AND ARTICLE IV –CITY MANAGER TO PROVIDE UPDATED PROCEDURES AND IMPROVE EFFICIENCY IN CONDUCTING CITY BUSINESS.\*

2. BILL NO. 31 OF 2016 AN ORDINANCE AMENDING ORDINANCE 4856, PASSED FINALLY ON MAY 10, 2000 AND AMENDING CHAPTER 832 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN AS ESTABLISHED BY ORDINANCE 4321, PASSED FINALLY IN COUNCIL NOVEMBER 22, 1983 AND FURTHER AMENDED BY ORDINANCE 4782 AND 4832, REGULATING THE CONSTRUCTION AND MAINTENANCE OF PARKING LOTS, TO PROVIDE A LIMITED EXCEPTION FOR THE WASHINGTON STREET PARKING LOT IN LIGHT OF ITS PENDENCY FOR SALE AND/OR PARTIAL REDEVELOPMENT, AND TO AVOID UNNECESSARY EXPENSE OF CITY RESOURCES.

3. BILL NO. 32 OF 2016 AS AMENDED AN ORDINANCE ADOPTING AND RATIFYING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF JOHNSTOWN AND THE BOROUGH OF DALE PROVIDING FOR THE CITY OF JOHNSTOWN TO PROVIDE POLICE SERVICES TO AND WITHIN THE BOROUGH OF DALE, RELATIVE TO ENFORCEMENT OF ALL STATUTES AND LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AND ORDINANCES OF THE BOROUGH (INCLUDING BUT NOT LIMITED TO THE PENNSYLVANIA MOTOR VEHICLE (75 P.S. 101 ET SEQ.), MUNICIPAL ORDINANCES, AND PENNSYLVANIA CRIMES CODE (18 PA.C.S.A. 101 ET SEQ.)).\*

4. BILL 33 OF 2016 AS AMENDED AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN 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 REVENUE 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 & CO. RECOMMENDATIONS.\*

5. BILL NO. 35 OF 2016 AS AMENDED AN ORDINANCE INCREASING THE INDEBTEDNESS OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, BY THE ISSUE OF A GENERAL OBLIGATION NOTE IN THE AMOUNT OF \$6,000,000.00 FOR REFINANCING OF EXISTING OBLIGATIONS ELIGIBLE TO BE REFINANCED AND TO PROVIDE THE NECESSARY FUNDS TO MEET EXPECTED YEAR-END OBLIGATIONS; FIXING THE FORM, NUMBER, DATE, INTEREST, AND MATURITY THEREOF; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE ON THE NOTE; PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENT; PROVIDING FOR THE APPOINTMENT OF A

SINKING FUND DEPOSITORY FOR THE NOTE; AND AUTHORIZING EXECUTION, SALE AND DELIVERY THEREOF\*

6. BILL 36 OF 2016 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, AMENDING ORDINANCE #5193 OF 2015, AS AMENDED BY ORDINANCE #5204 PASSED FINALLY ON SEPTEMBER 14, 2016 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.

#### ORDINANCES FOR FIRST READ

1. BILL 37 OF 2016 AN ORDINANCE INCREASING THE INDEBTEDNESS OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, BY THE ISSUE OF A GUARANTEED REVENUE NOTE IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,090,300.00, FOR THE PURPOSES OF:\*

2. OBLIGATION TO PAY REASONABLE COSTS INCURRED BY THE TAX COLLECTOR FOR COLLECTION OF DELINQUENT MUNICIPAL TAXES, PENALTIES AND INTEREST; REPEALING INCONSISTENT ORDINANCES AND/OR PORTIONS OF INCONSISTENT ORDINANCES; INCLUDING A SAVINGS CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. \*

#### RESOLUTIONS

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO SUBMIT APPLICATIONS FOR TRAFFIC SIGNAL APPROVAL TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION AND TO SIGN THIS APPLICATION ON BEHALF OF THE MUNICIPALITY, FOR THE MOXHAM BRIDGE PROJECT.\*

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, DIRECTING THE INTERIM CITY MANAGER TO PLACE CORRECTED AND ACCURATE REQUEST FOR PROPOSALS FROM INTERESTED PARTIES, FIRMS, BROKERS, AGENTS FOR THE LISTING AND SALE OF THE CITY OF JOHNSTOWN'S PROPERTY LOCATED ON WASHINGTON STREET AND LOCUST STREET FORMERLY THE SITE OF THE WASHINGTON STREET PARKING GARAGE, WITH THE STIPULATION THE PROPERTY WILL BE SOLD AND TRANSFERRED TO PARTIES, FIRMS AND INDIVIDUALS FOR COMMERCIAL USE AND WITH EXPECTATIONS THAT PROPERTY BE PLACED IN FULL PROPERTY TAXATION FOR CITY OF JOHNSTOWN, GREATER JOHNSTOWN SCHOOL DISTRICT AND CAMBRIA COUNTY PROPERTY TAX PURPOSES AND COLLECTION, AND TO TERMINATE THE EXCLUSIVE LISTING CONTRACT WITH CNN PROPERTIES, LLC, EXECUTED ON JULY 27. 2016.\*

3. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE TASK ORDER NO. 35 TO THE EADS GROUP, INC. FOR THE DESIGN, BIDDING, CONSTRUCTION ADMINISTRATION, PREPARATION OF FUNDING APPLICATIONS, PREPARATION OF PERMIT APPLICATIONS,

ADMINISTRATION OF FUNDING, AND INSPECTION SERVICES OF THE  
CENTRAL BUSINESS DISTRICT SANITARY/STORM SEWER  
SEPARATION PROJECT.\*

4. A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JOHNS TOWN,  
PENNSYLVANIA, AUTHORIZING THE ALLOCATION OF 2016 FUNDS FROM THE  
GENERAL MUNICIPAL PENSION SYSTEM STATE AID PROGRAM.\*

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL  
DOCUMENTS NECESSARY TO APPLY FOR A GRANT THROUGH THE  
COMMONWEALTH FINANCING AUTHORITY FOR A GRANT TO ASSIST WITH  
SEWER REHABILITATION IN THE AMOUNT OF \$425,000.\*

6. A RESOLUTION OF THE CITY OF JOHNSTOWN PENNSYLVANIA TO ESTABLISH  
A ONE YEAR SUNSET TIMELINE FROM THE DATE OF RECEIPT ON  
APPLICATIONS FOR CONSIDERATION FOR APPOINTMENT TO CITY BOARDS  
AND COMMISSIONS.\*

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY PENNSYLVANIA, APPOINTING MRS LINDY YUTZYO TO THE  
JOHNSTOWN ZONING HEARING BOARD FOR THE EXPIRED TERM OF MR.  
ANTHONY PIRO, JANUARY 31, 2016, AND FOR TERM OF (4) FOUR YEARS  
BEGINNING JANUARY 31, 2016 AND TO EXPIRE ON JANUARY 31, 2020, \*

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY PENNSYLVANIA, APPOINTING MR. JOHN A. DEBARTOLA  
TO THE JOHNSTOWN PLANNING COMMISSION FOR THE EXPIRED TERM OF MS.  
NANCY MALLOY, JANUARY 31, 2016, AND FOR TERM OF (5) FIVE YEARS  
BEGINNING JANUARY 31, 2016 AND TO EXPIRE ON JANUARY 31, 2021, \*

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY PENNSYLVANIA, APPOINTING MS CONNIE MARTIN TO THE  
JOHNSTOWN PLANNING COMMISSION FOR THE EXPIRED TERM OF MR.  
CHARLES HARTNET, JANUARY 31, 2016, AND FOR TERM OF (5) FIVE YEARS  
BEGINNING JANUARY 31, 2016 AND TO EXPIRE ON JANUARY 31, 2021, \*

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY PENNSYLVANIA, APPOINTING MR. JOSPH WARHUL TO THE  
CITY MANAGER SEARCH COMMITTEE AS BEING A RESIDENT AND REGISTERED  
VOTER IN THE CITY OF JOHNSTOWN.\*

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,  
CAMBRIA COUNTY PENNSYLVANIA, APPOINTING MRS. LINDY YUTZY TO THE  
CITY MANAGER SEARCH COMMITTEE AS BEING A RESIDENT AND REGISTERED  
VOTER IN THE CITY OF JOHNSTOWN.\*

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE INTERIM CITY MANAGER AND THE CITY SOLICITOR TO PREPARE. DRAFT A WRITTEN CORRESPONDENCE FOR SIGNATURES OF ALL MEMBERS OF JOHNSTOWN CITY COUNCIL, TO THE SURROUNDING MUNICIPALITIES KNOWN TO BE PART OF THE GREATER JOHNSTOWN AREA TO DETERMINE IF THERE EXIST INTEREST BY THE RESIDENTS AND ELECTED OFFICIALS OF THE RESPECTIVE MUNICIPALITIES, AS TO THE FEASIBILITY OF ANY POSSIBLE MUNICIPAL CONSOLIDATION.\*

13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT THE \$400,000 EPA BROWNFIELD ASSESSMENT GRANT ON BEHALF OF THE CITY OF JOHNSTOWN, DEPARTMENT OF COMMUNITY AND ECONOMIC AND DEVELOPMENT. \*

14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, RESOLVES AND CERTIFIES THAT IT WILL PROVIDE THE CAMBRIA COUNTY TRANSIT AUTHORITY LOCAL FUNDS IN THE AMOUNT OF 46,244.10 TO MATCH STATE FUNDS PROVIDED PURSUANT TO 74 PA. C.S. SECTION 1513 IN FISCAL YEAR 2016-2017.\*

#### PUBLIC COMMENT ON NON-AGENDA ITEMS

1. Mike Artim re: Vision 2025 update
2. Joseph Taranto re: Shade Tree Commission presentation

NEW BUSINESS

OLD BUSINESS

ADJOURN

NEXT REGULARLY SCHEDULED MEETING WEDNESDAY, OCTOBER 26, 2016

