

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, FEBRUARY 10, 2016

ANTHONY C. TRUSCELLO COUNCIL CHAMBERS

WORKSHOP 5:00 PM RE: **Inner City Sewer Projects**

REGULAR MEETING 6:00 PM

LEGEND: * Document forwarded with agenda

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES OF PREVIOUS MEETINGS

1. Reorganization Meeting January 4, 2016

COURTESY OF THE FLOOR

1. Mike Artim, 221 Central Ave. re: Update on Visioning 2025 initiative
2. John DeBartola, 1197 Bedford St., Johnstown- Re: City Government

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

COUNCIL COMMITTEE REPORTS

REPORTS NEIGHBORHOOD LIAISONS

COMMUNICATIONS

1. Planning Commission minutes of January 6, 2016.
2. Jan. 17, 2016 letter from Jack Williams re: Ordinance No. 5045 – Requirements/procedures for purchasing of materials & supplies.
3. Letter from Jack Williams re: his communication to Deborah Grass of Grass Roots Solutions.
4. Jan. 21, 2016 letter from Jack Williams re: City's appointed RTK Open Record's Officer.

5. Jan. 25, 2016 letter from Jack Williams re: Inner City Sewer Project.
6. Jan. 25, 2016 letter from Jack Williams re: Questionable appointments to City's Boards, Authorities and Commissions.
7. Jan. 26, 2016 letter from Jack Williams re: resolution passed by council requesting a meeting with DEP.
8. Jan. 27, 2016 letter from Jack Williams re: Resolution Ordinance No. 5042 of 10/28/2009 and Bill No. 2 of 2016 concerning resolutions submitted not less than 4 city business days for placement on agenda.
9. Feb. 1, 2016 letter from Jack Williams re: City's Economic Development Loan Programs.
10. Feb. 2, 2016 communication from John A. DeBartola re: Administrative Code Violation Submission.
11. Feb. 10, 2016 letter from Jack Williams re: Inner City Sewer Project Issues.
12. Code complaints from:
 - A. Charlene Stanton-Jan. 29, 2016 re: 734 Yoder St, 244-244 ½ Union St, 242 Union St, 605-607 Franklin St, Rear 186 Sell St, Yoder St (no addr);
 - B. Dennis Callahan-Feb. 3, 2016 re: 832 Napoleon St;
 - C. Joseph Warhul-Feb. 2, 2016 re: 5-7 Cleveland St, 5-7 Clover St, 30-32 Clover St, 639-637 Clover St, Rear 756-758 Coleman Av, 753 Coleman Av, Rear 631 Coleman Av, 563 Coleman Av, 700-702 Coleman Av;
 - D. Jack Williams-Feb. 2, 2016 re: 190-192 Barron Av, Feb. 3, 2016 re: corner of Chandler Av & Strayer St(former Mom's Diner)
 - E. Charlene Stanton- Feb. 3, 2016 re: 806/808 Railroad St, Red Brick Building Adjacent to 806/808 Railroad St (no visible address), Yellow House with Brown Trim Adjacent to 1033 Church Ave (no visible address), 641 Railroad St, 111 Adams St (former King Furniture), Brick Building with Blue & White Trim, Blue Railing, and Blue Doors on Main St (no visible address), Brick Building with Plastic Orange Fencing Around the Front of the Property on Main St (no visible address), Adjacent to 633 Napoleon St (site of former grocery store- no visible address).

PETITIONS

Eleven citizen petitions calling for termination of The EADS Group as City of Johnstown Engineering Firm.

ORDINANCES FOR FINAL READ

1. Bill #02 2016 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."
2. 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."

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 #07 AN ORDINANCE ESTABLISHING AND CREATING THE CITY OF JOHNSTOWN OWNER-OCCUPIED INNER-CITY SEWER GRANT FUND SUBJECT TO AVAILABLE FUNDING (tabled 1/20/16)
3. 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 (tabled 1/20/16)
4. BILL #10 OF 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.*
5. BILL #11 OF 2016 AN ORDINANCE DIRECTING THE CAMBRIA COUNTY BOARD OF ELECTIONS TO PLACE ON THE 2017 PRIMARY ELECTION BALLOT FOR THE CITY OF JOHNSTOWN, THE BALLOT REFERENDUM QUESTION FOR CONSIDERATION BY THE REGISTERED VOTERS OF THE CITY OF JOHNSTOWN, WHICH IF RECEIVING A MAJORITY OF THE VOTES CAST, ESTABLISHES A GOVERNMENTAL STUDY COMMISSION, AND FURTHER THE ELECTION OF SEVEN (7) GOVERNMENTAL STUDY COMMISSIONERS, PURSUANT TO THE COMMONWEALTH OF PENNSYLVANIA 53 Pa. C.S. Chapters 29 (Home Rule), 30 (Optional Plans) & 31 (Optional Plans) Home Rule Charter and Optional Plans Law.*

RESOLUTIONS

1. 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)*

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, INITIATE AN INQUIRY AND/OR INVESTIGATION INTO THE JOHNSTOWN HOUSING AUTHORITY, INCLUDING THE DAILY ADMINISTRATION AND THE ACTIONS, DUTIES AND RESPONSIBILITIES OF THE APPOINTED BOARD OF HOUSING COMMISSIONERS, PURSUANT TO, THE CITY OF JOHNSTOWN'S HOME RULE CHARTER; ARTICLE III. COUNCIL—POWERS, DUTIES, LIMITATIONS AND LEGISLATION; 11.3-301. POWERS*
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING AND AUTHORIZING THE CITY SOLICITOR TO TAKE REQUIRED AND NECESSARY STATUTORY ACTIONS PURSUANT TO THE COMMONWEALTH OF PENNSYLVANIA'S HOUSING AUTHORITIES LAW; Act of May. 28, 1937, P.L. 955, No. 265, AND WHERE APPLICABLE, THE PENNSYLVANIA MUNICIPALITY AUTHORITIES ACT (53 Pa. C.S.A) FOR THE DISSOLUTION OF THE JOHNSTOWN HOUSING AUTHORITY, AND RENDERING SUCH TO THE COUNTY OF CAMBRIA.*
4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, RE-AFFIRMING THE DIRECTION AND PROVISIONS AS STIPULATED IN RESOLUTION NO. 9386, PASSED ON JANUARY 13, 2010, WHICH DIRECTED THE CITY MANAGER TO PLACE AN ADVERTISEMENT FOR PROPOSALS FROM INTERESTED PARTIES, FIRMS, BROKERS, AGENTS FOR THE PURCHASE 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.*
5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, RE-AFFIRMING THE DIRECTION AND PROVISIONS STIPULATED IN RESOLUTION NO. 9384, PASSED ON JANUARY 13, 2010, which directed that "Request for Proposals" be advertised, and by requesting the Pennsylvania's Department of Community and Economic Development (DCED) for assistance in preparation and developing said "Request for Proposals" for the exclusive rights for event promotions, scheduling and management of the Point Stadium facilities, and by including concession operations at Point Stadium and Roxbury Park.*
6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA REQUESTING THAT THE CITY SOLICITOR ISSUE A WRITTEN LEGAL OPINION REGARDING THE PROPERTY LOCATED AT 605/607 FRANKLIN STREET, JOHNSTOWN PA. BELIEVED TO BE OWNED AND/OR UNDER THE CONTROL OF THE CAMBRIA COUNTY REDEVELOPMENT AUTHORITY AS TO THE RESPONSIBILITY OF MAINTAINING SAID PROPERTY IN COMPLIANCE WITH INTERNATIONAL BUILDING CODE STANDARDS AND/OR CITY OF JOHNSTOWN'S DULY ENACTED PROPERTY MAINTENANCE ORDINANCES FOR ASSURING THE HEALTH, SAFETY AND WELFARE OF ALL, AND TO SEEK CORRECTIVE ACTIONS BE TAKEN WITHOUT FURTHER DELAY, AS TO CODE VIOLATIONS EXISTING AT SAID PROPERTY.*

7. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH SNYDER ENVIRONMENTAL SERVICES, INC. AWARDING CONTRACT 2016-05 FOR THE CONSTRUCTION OF THE CAMBRIA CITY/COOPERSDALE/MINERSVILLE SANITARY/STORM SEWER SEPARATION PROJECT.

8. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH SIPPEL DEVELOPMENT CO., INC. AWARDING CONTRACT 2016-06 FOR THE CONSTRUCTION OF THE CAMBRIA CITY/COOPERSDALE/MINERSVILLE SANITARY/STORM SEWER SEPARATION PROJECT.

9. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH SIPPEL DEVELOPMENT CO., INC. AWARDING CONTRACT 2016-07 FOR THE CONSTRUCTION OF THE CAMBRIA CITY/COOPERSDALE/MINERSVILLE SANITARY/STORM SEWER SEPARATION PROJECT.

NEW BUSINESS

OLD BUSINESS

ADJOURN

NEXT REGULARLY SCHEDULED MEETING WEDNESDAY, FEBRUARY 24, 2016

