

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, MARCH 8, 2017

ANTHONY C. TRUSCELLO COUNCIL CHAMBERS

WORKSHOP 5:00 PM – WESSEL & CO.

EXECUTIVE SESSION – 5:30 PM

REGULAR MEETING 6:00 PM

LEGEND: * Document forwarded with agenda

CALL TO ORDER;

INVOCATION;

PLEDGE OF ALLEGIANCE;

ROLL CALL;

APPROVAL OF MINUTES;

1. Regular meeting of February 8, 2017

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION;

PUBLIC COMMENT - AGENDA ITEMS ONLY (Limit 10 Minutes);

1. John DeBartola, 1197 Bedford St. re: Non-Discrimination & Hate Crimes Ordinances

REPORTS;

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR
- d. CITY ENGINEER
- e. COUNCIL UPDATES

1. Planning Commission Minutes of Feb. 2, 2017

2. Letter from Jack Williams & Charlene Stanton Feb. 15, 2017 re: Tabled Professional Engineering Solicitation

3. Letter from Jack Williams & Charlene Stanton Feb. 27, 2017 re: Moxham Sub-Station

4. Code complaints from: C. Stanton – 13; D. Callahan – 4; W. Penrose – 8; W. Keiper – 1; J. Warhul – 5; L. Yutzy – 4; J. Williams – 5.

f. NEIGHBORHOOD LIAISONS

PETITIONS;

ORDINANCES FOR FINAL READ AND ADOPTION;

1. BILL NO. 3 OF 2017 AN ORDINANCE VACATING CENTAUR PLACE BETWEEN GARFIELD STREET AND M ST NEXT TO THE PROPERTY LOCATED AT 280 FAIRFIELD AVE IN JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE.

2. BILL NO. 5 OF 2017 AN ORDINANCE AMENDING ORDINANCE NO. 4174, PASSED FINALLY JANUARY 23, 1980, TITLED: AN ORDINANCE PROHIBITING DISCRIMINATION IN EMPLOYMENT, HOUSING, PUBLIC ACCOMODATIONS AND OTHER AREAS OF INTERGROUP RELATIONS IN THE SOCIAL, CULTURAL AND ECONOMIC LIFE OF THE CITY OF JOHNSTOWN, REQUIRING FAIR EMPLOYMENT PRACTICES, FAIR HOUSING PRACTICES AND FAIR PUBLIC ACCOMODATION PRACTICES BY PROHIBITING DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMODATIONS BECAUSE OF RACE, COLOR, RELIGION, ANCESTRY, SEX, NATIONAL ORIGIN OR PLACE OF BIRTH; ESTABLISHING A COMMISSION ON HUMAN RELATIONS AND PRESCRIBING THE POWERS AND DUTIES THEROF; AND PROVIDING PENALTIES; BY FURTHER AMENDING CERTAIN SECTIONS TO PROHIBIT PRACTICES OF PREJUDICE AND DISCRIMINATION AGAINST INDIVIDUALS BY REASON OF SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION.

3. BILL NO. 6 OF 2017 AN ORDINANCE AMENDING ORDINANCE 4654, TITLED: AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE CODE FOR THE CITY OF JOHNSTOWN, PENNYSLVANIA, DESIGNATING THE POWERS AND DUTIES OF THE COUNCIL, THE CITY MANAGER, AND OTHER MUNICIPAL OFFICIALS, PASSED FINALLY ON OCTOBER 27, 1993 AND AS AMENDED BY ORDINANCE NOS.4693, 4731, 4894, 4880, 4902, 4908, 4991, 5015, 5024, 5034, 5042, 5055. 5058, 5069, 5177, 5194, AND 5199, BY FURTHER AMENDING CERTAIN SECTIONS OF TITLE TEN – OFFICERS AND EMPLOYEES GENERALLY TO PROHIBIT PRACTICES OF PREJUDICE AND DISCRIMINATION AGAINST INDIVIDUALS BY REASON OF SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION.

4. BILL NO. 9 OF 2017 AN ORDINANCE **TITLED:** AN ORDINANCE AMENDING ORDINANCE NO. 4719, PASSED FINALLY APRIL 12, 1995, AND AS AMENDED BY ORDINANCE 5062, PASSED FINALLY MARCH 24, 2010, TITLED: AN ORDINANCE ESTABLISHING A PERSONNEL POLICY FOR ALL CITY OF JOHNSTOWN EMPLOYEES, BY FURTHER ESTABLISHING PROCEDURES AND POLICIES FOR THE EMPLOYEES OF THE CITY OF JOHNSTOWN, BY FURTHER AMENDING CERTAIN SECTIONS TO PROVIDE UPDATED PROCEDURES AND POLICIES FOR THE EMPLOYEES OF THE CITY OF JOHNSTOWN.

ORDINANCES FOR FIRST READ;

1. BILL NO. 7 OF 2017 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5213 PASSED FINALLY ON DECEMBER 29, 2016 CITY OF JOHNSTOWN BUDGET TO AMEND THE 2017 BUDGET TO PROPERLY ALLOCATE REVENUE AND EXPENSES RELATING TO THE DELINQUENT BUSINESS PRIVILEGE TAX COLLECTED AND RECEIVED BY TURNKEY TAXES ON 1/13/17 AND TO PROPERLY ALLOCATE THE TRANSFER OF FUNDS FROM ITC TO PARKING FUND. * (TABLED FEB. 8, 2017)
2. BILL NO. 8 OF 2017 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5214 PASSED FINALLY ON DECEMBER 29, 2016 CITY OF JOHNSTOWN 2017 WAGE AND SALARY ORDINANCE TO AMEND THE 2017 WAGE AND SALARY ORDINANCE TO BE PAID ALL ELECTED OFFICIALS AND EMPLOYEES OF THE VARIOUS DEPARTMENTS AND BUREAUS OF THE CITY OF JOHNSTOWN FOR THE CALENDAR YEAR WITH AN EFFECTIVE DATE THE DAY AFTER FINAL APPROVAL OF CITY COUNCIL. * (TABLED FEB. 8, 2017)
3. BILL NO. 10 OF 2017 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5213 PASSED FINALLY ON DECEMBER 29, 2016 CITY OF JOHNSTOWN BUDGET TO AMEND THE 2017 BUDGET TO PROPERLY ALLOCATE REVENUE AND EXPENSES RELATING TO THE DELINQUENT BUSINESS PRIVILEGE TAX COLLECTED AND RECEIVED BY TURNKEY TAXES ON 1/13/17 AND TO PROPERLY ALLOCATE THE TRANSFER OF FUNDS FROM ITC TO PARKING FUND.*
4. BILL NO. 11 OF 2017 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5214 PASSED FINALLY ON DECEMBER 29, 2016 CITY OF JOHNSTOWN 2017 WAGE AND SALARY ORDINANCE TO AMEND THE 2017 WAGE AND SALARY ORDINANCE TO BE PAID ALL ELECTED OFFICIALS AND EMPLOYEES OF THE VARIOUS DEPARTMENTS AND BUREAUS OF THE CITY OF JOHNSTOWN FOR THE CALENDAR YEAR WITH AN EFFECTIVE DATE THE DAY AFTER FINAL APPROVAL OF CITY COUNCIL. *

RESOLUTIONS;

- 1 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO PROCESS AND MAKE PAYMENT IN AN AMOUNT OF (\$90,000,00) NINETY-THOUSAND DOLLARS AND NO CENTS TO CROWN CONVENTION CENTER FROM THE 2017 CITY OF JOHNSTOWN'S ADOPTED OPERATING BUDGET; CAPITAL FUND LINE ITEM 18-48928-196.00 TITLED CAPITAL PROJECT 'UNCLASSIFIED MISC. EXPENSES, AS PARTIAL PAYMENT FOR CAPITAL EXPENDITURES DUE CROWN PURSUANT TO LEASE AGREEMENT EXECUTED ON MAY 8, 2003; AND AS AMENDED ON DECEMBER 13, 2007 FOR OPERATION AND MANAGEMENT OF THE CITY'S CONVENTION CENTER.(Tabled Feb. 8, 2017)
- 2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE SOLICITATION FOR QUALIFICATION STATEMENTS FOR PROFESSIONAL ENGINEERING AND ASSOCIATED SERVICES FOR THE CONTINUATION OF THE SANITARY SEWER UPGRADES. (TABLED FEB. 8, 2017)
- 3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA AUTHORIZING THE SOLICITATION FOR REQUEST FOR PROPOSAL FOR THE SPECIAL AUDITING OF AGREEMENTS, ADDENDUMS, TASK ORDERS EXECUTED BY FORMER CITY MANAGER KRISTEN L. DENNE, WITH THE EADS GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PERIOD OF APRIL 28, 2010 THRU JUNE 12, 2014. *
- 4 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO DETERMINE THE FEASIBILITY OF SEEKING REQUEST FOR PROPOSALS FROM INTERESTED PARTIES FOR THE PLACEMENT OF MULTIPLE EXTERIOR ADVERTISING BILL BOARD TYPE SIGNAGE AT JOHNSTOWN POINT STADIUM. *
- 5 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR THE NAMING RIGHTS TO JOHNSTOWN'S POINT STADIUM FOR A PERIOD NOT TO EXCEED TEN (10) YEARS. *
- 6 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA SEEKING A MONTHLY REPORT/RECAP OF THE ACTIVITIES OF THE CITY'S DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT TO BE PROVIDED TO COUNCIL AT THE NEXT REGULARLY SCHEDULED

MEETING FOLLOWING THE PRIOR MONTH ENDING. *

- 7 A RESOLUTION OF THE CITY COUNCIL OF JOHNSTOWN, CAMBRIA COUNTY, IN THE COMMONWEALTH OF PENNSYLVANIA, TO SEEK ASSISTANCE FROM THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT UNDER THE MUNICIPALITIES FINANCIAL RECOVERY ACT, ACT 47 OF 1987, TO FUND THE EVALUATION OF CAPITAL ASSETS IN THE AMOUNT OF \$83,000.*
- 8 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES A POLICY CHANGE FOR CITY PENSION SYSTEM INVESTMENTS INCLUDING POLICE, FIRE, SEWER AND NON-UNIFORM EMPLOYEES *
- 9 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN AN AGREEMENT WITH TETRA TECH INC. TO PROVIDE PROFESSIONAL SERVICES BEGINNING MARCH 9, 2017 THROUGH SEPTEMBER 30, 2019 FOR THE BROWNFIELD ASSESSMENT AND REVITALIZATION PROJECT THROUGH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN SUPPORT OF THE \$400,000 ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD GRANT. *
- 10 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 COMPANY, INC. AWARDED CONTRACT 2017-03 FOR THE CONSTRUCTION OF THE MOXHAM PART II SANITARY/STORM SEWER SEPARATION PROJECT.*
- 11 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 COMPANY, INC. AWARDED CONTRACT 2017-04 FOR THE CONSTRUCTION OF THE MOXHAM PART II SANITARY/STORM SEWER SEPARATION PROJECT. *
- 12 A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE TASK ORDER NO. 38 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 FAIRFIELD AVENUE SANITARY/STORM SEWER SEPARATION PROJECT.*

13 A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AMENDMENT NO. 2 TO TASK ORDER NO. 29 TO THE EADS GROUP, INC. FOR ADDITIONAL BASIC ENGINEERING SERVICES ASSOCIATED WITH ADDITIONAL ELECTRICAL CONSTRUCTION WORK UNDER CONTRACT 2016-09 – MAIN STREET EAST PARKING GARAGE REHABILITATION PROJECT PHASE II.*

14 A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE CITY MANAGER TO SIGN DOCUMENTS TO ACCEPT 2016 GRANT FUNDING AWARD FROM THE COMMONWEALTH OF PENNSYLVANIA.*

15 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 ELIMINATE THE RESPECTIVE 2017 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES, AND MORE SPECIFICALLY DETAILED BELOW: *

16 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SUBMIT A COMMUNITY CONSERVATION PARTNERSHIP PROGRAM GRANT APPLICATION TO THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES IN THE AMOUNT OF \$45,000. *

MOTIONS;

NEW BUSINESS;

OLD BUSINESS;

PUBLIC COMMENT – NON-AGENDA ITEMS (Limit 5 Minutes);

1. Mike Artim, 245 Market St. re: Vision 2025 Update
2. John DeBartola, 1197 Bedford St. re: Local Government
3. Scott Wilhelm, 197 Dormer St. re: Veteran's Suicide Awareness Walk, Sept. 16, 2017

RECESS/ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING APRIL 12, 2017

