

CITY OF JOHNSTOWN PENNSYLVANIA

CITY COUNCIL AGENDA

WEDNESDAY, JULY 13, 2016

ANTHONY C. TRUSCELLO COUNCIL CHAMBERS

REGULAR MEETING 6:00 PM

WORKSHOP 5:00 PM – WESSEL & CO. re: 2015 CITY AUDIT

LEGEND: \* Document forwarded with agenda

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES OF PREVIOUS MEETINGS

1. City Council Minutes of June 8, 2016

COURTESY OF THE FLOOR ON AGENDA ITEMS ONLY

1. Brittany DallaValle/Lance Ross, 20 Matthew St. re: Freight Station noise

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. Planning Commission Minutes of June 1, 2016
2. Letter from Attorney Elizabeth Benjamin re: City of Johnstown Noise Ordinance Exception
3. Memorandum from Deborah Grass & Kathryn Clark, Esq. re: City of Johnstown Administrative Code review
4. Letter from Jack Williams & Charlene Stanton re: Convention Center
5. Letter from Jack Williams & Charlene Stanton re: Johnstown Housing Authority
6. Letter from Jack Williams & Charlene Stanton re: letter to Maria Kelly/PA DCED
7. Letter from Jack Williams re: 2016 Operating Budget
8. Letter from Jack Williams re: letter to Dennis Davin/PA DCED
9. Letter from Jack Williams re: Commonwealth Court Appeal Withdrawal

10. Letter from Jack Williams & Charlene Stanton re: City's Sewer Rental Charges
11. Email from Joseph Warhul re: Codes Dept failing at their job
12. Code complaints: Jack Williams 4; Charlene Stanton – 17; Lindy Yutzy – 49; Kenneth Blough – 3; Wendy Penrose – 13; Joe Warhul – 11; Bob Bambino – 1; Dennis Callahan – 5; Debbie Miranda – 2;
13. Letter from Jack Williams re: 2017 Capital Budget

#### PETITIONS

11 citizen petitions to terminate EADS Group

#### ORDINANCES FOR FINAL READ

None

#### ORDINANCES FOR FIRST READ

1. BILL 24 OF 2016 AN ORDINANCE OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, AMENDING THE CITY OF JOHNSTOWN'S SIXTH AMENDED RECOVERY PLAN ADOPTED ON OCTOBER 28, 2013, BY UPDATING THE ACT 133 COMPENSATION AND BENEFIT LIMITATIONS THROUGH 2018.\*
2. BILL 25 OF 2016 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.\*
3. BILL 26, 2016 AMENDING ORDINANCE NO. 5197, PASSED FINALLY ON MARCH 23, 2016, AMENDING ORDINANCES NOS. 5070, 5079 AND 5108 TITLED ORDINANCES AMENDING CHAPTER 1048 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN TITLED INNER CITY SEWER SYSTEM BY AMENDING SECTION 1048.03, AS AMENDED BY ORDINANCE NOS. 4626, 4921, AND 5033 TO CONFORM TO ACTUAL BILLING RATES, COLLECTION PROCEDURES AND INCREASE SEWER RATE, BY FURTHER AMENDING AND PROVIDING FOR A REVISED MINIMUM INNER CITY SEWER CHARGES FOR USERS OF THE GREATER JOHNSTOWN WATER AUTHORITY RECEIVING THE MINIMUM MONTHLY BILLINGS FOR WATER SERVICE.\*
4. BILL 27 OF 2016 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5102 OF 2016 CITY OF JOHNSTOWN BUDGET TO INCLUDE THE REVENUE AND EXPENSES FOR FIRE GRANTS RECEIVED IN THE GENERAL FUND.\*

## RESOLUTIONS

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, SUPPORTING A PETITION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD (BOARD'S) BY THE OWNER OF THE PROPERTY KNOWN AS 20 MATTHEW STREET FOR A THREE YEAR EXTENSION OF THE CITY OF JOHNSTOWN'S NOISE ORDINANCE FOR THE BOARD'S REGULATIONS THAT ARE DUE TO EXPIRE ON JULY 29, 2016. (Tabled June 8, 2016)
2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND APPROVING A PARKLET AND DONOR MEMORIAL TO BE BUILT AND LOCATED AT THE WASHINGTON STREET PARKING LOT. (Tabled June 8, 2016) (revised by Solicitor)
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE GREATER JOHNSTOWN SCHOOL DISTRICT TO PROVIDE TWO SCHOOL RESOURCE POLICE OFFICERS FOR A THREE-YEAR CONTRACT.\*
4. A RESOLUTION OF 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.\*
5. 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. 34 TO THE EADS GROUP, INC. FOR THE PREPARATION OF FUNDING APPLICATIONS, PREPARATION OF PERMIT APPLICATIONS, ADMINISTRATION OF FUNDING, AND INSPECTION SERVICES OF THE KERNVILLE SANITARY/STORM SEWER SEPARATION PROJECT.\*
6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPOINTING BEARD LEGAL GROUP, P.C. AS CITY SOLICITOR EFFECTIVE AUGUST 1, 2016, AND CONTINUING THROUGH DECEMBER 31, 2017.\*
7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPOINTING BEARD LEGAL GROUP, P.C. AS INTERIM LABOR NEGOTIATOR EFFECTIVE AUGUST 1, 2016, AND CONTINUING THROUGH COMPLETION OF RFP PROCESS.\*

8. 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)\*
9. 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.\*
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE INTERIM CITY MANAGER TO ADVERTISE FOR THE CITY OF JOHNSTOWN SEEKING PROPOSALS FOR AN INDEPENDENT APPRAISAL OF THE STRUCTURE AND LAND OF CONVENTION CENTER LOCATED AT 301 NAPOLEON STREET JOHNSTOWN, PENNSYLVANIA, TO DETERMINE THE FAIR-MARKET VALUE THAT ANTICIPATED AS A RESULT FROM ANY POSSIBLE SALE OF THE CONVENTION CENTER.\*
11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE INTERIM CITY MANAGER TO ADVERTISE FOR THE CITY OF JOHNSTOWN SEEKING LETTERS OF INTEREST FROM ATTORNEYS AT LAW AND/OR LAW FIRM FOR SERVING BY APPOINTMENT BY CITY COUNCIL AS CITY SOLICITOR, PURSUANT TO PROVISIONS OF THE CITY OF JOHNSTOWN'S HOME RULE CHARTER, AS ADOPTED ON MAY 18, 1993, BY A VOTER REFERENDUM, EFFECTIVE JANUARY 1, 1994..\*
12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE INTERIM CITY MANAGER TO ADVERTISE FOR THE CITY OF JOHNSTOWN SEEKING REQUEST FOR PROPOSAL FROM ATTORNEYS AT LAW AND/OR LAW FIRM FOR SERVING BY APPOINTMENT BY CITY COUNCIL AS LABOR NEGOTIATOR, PURSUANT TO PROVISIONS OF THE CITY OF JOHNSTOWN'S ACT 47 RECOVERY PLAN OF MAY 26, 1993 AND AS FURTHER AMENDED THRU THE 6<sup>TH</sup> AMENDED RECOVERY PLAN ADOPTED BY ORDINANCE NO. 5137, PASSED FINALLY ON October 28, 2014 under the authority of the Commonwealth of Pennsylvania's MUNICIPALITIES FINANCIAL RECOVERY ACT\*

13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA ESTABLISHING PROCEDURES AND SETTING DATES FOR THE CITY MANAGER SEARCH PROCESS, AND THE POSITION LISTING.\*
14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2016 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES, AND MORE SPECIFICALLY, BUDGET EXHIBIT (A) DETAILED BELOW.\*
15. A RESOLUTION ESTABLISHING AN ASSISTANCE AND REIMBURSEMENT PROGRAM FOR REPLACEMENT AND REPAIR OF PRIVATE SEWER LATERALS.\*
16. A RESOLUTION OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO APPROVE A FACILITY ENCROACHMENT AGREEMENT WITH CSX TRANSPORTATION, INC.\*
17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE WITHDRAWAL OF ITS APPEAL OF THE COURT OF COMMON PLEAS DECISION IN WILLIAMS & STANTON V. CITY OF JOHNSTOWN, ET AL., CASE NO. 2016-0332, FILED AT APPEAL NO. 681 CD 2016 WITH THE COMMONWEALTH COURT OF PENNSYLVANIA.\*

PUBLIC COMMENT ON NON-AGENDA ITEMS

1. Bill Polacek, 84 Iron St. re: Vision 2025 update
2. John DeBartola, 1197 Bedford St. re: local government

NEW BUSINESS

OLD BUSINESS

ADJOURN

NEXT REGULARLY SCHEDULED MEETING WEDNESDAY, August 10, 2016

