

JOHNSTOWN CITY COUNCIL MINUTES
Wednesday, October 1, 2014

City Council met in a stated session for the general transaction of business. Mayor Frank Janakovic called the meeting to order at 6:00 p.m. Acting City Manager, Carlos Gunby, offered the invocation, and the Pledge of Allegiance was recited.

The following members of Council were present for roll call:

Mr. Gentile, Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza (7).

Absent: None (0).

City Solicitor David Andrews was also present.

APPROVAL OF MINUTES

Mrs. Mock made a motion to approve the minutes of the September 10, 2014 meeting. The motion was seconded by Mr. Gentile and ruled on by the following vote:

Yeas: Mr. Gentile, Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza (7).

Nays: None (0).

COURTESY OF THE FLOOR

Lindy Yutzy of 160 Barron Avenue, Johnstown, spoke to Council on what she believes to be ineffective code laws. She appealed to Council to take some time and drive the streets to view all of the existing problems. She said many residents are getting frustrated with the slow to little response to the problems. She personally feels blacklisted if she complains too much. She is embarrassed and appalled to see animals and children going hungry in the City and living in filth. She stated it is a community problem and the community should be able to provide safe, clean housing for everyone. She wants magistrates to impose fines and penalties accordingly to help the codes officers, especially to the repeat offenders. She assured Council that she is a concerned resident who is passionate about her home and her city. She feels the City needs more prompt, quicker ordinances in response to a growing problem. By updating the ordinances, she said the City could clean up areas and hopefully increase the population.

Mayor Janakovic commented that he and the rest of Council do their best to get out to the community. He added that Council needs the help of the citizens, neighbors, the businesses, et cetera. He said that any and all support from others is much appreciated.

Charlene Stanton of 184 Sell Street, Johnstown, discussed issues with Council she has regarding City government. She first addressed blight and City code ordinances. She said that blight is overtaking the City and questioned why more is not being done to eliminate the problem. She would like the code ordinances to be enforced. She is all for helping the elderly, disabled or someone in a bind, but that is not the case. These are blighted properties in which the owner has moved away, ones who own many properties and choose to ignore the ordinances, and bank owned properties. She is concerned for the safety of residents on these blighted properties.

Ms. Stanton also addressed RDM and the fact the City pays them \$193,000 a year for sewage related matters. The arrangement started in 2012 and has continued yearly, yet there is no contractual agreement between the City and RDM. Over \$384,000 has been paid to date out of the City's sewer upgrade maintenance fund, which receives its revenues from the people. She commented on how much money that is for sending out bills. She suggested putting the service out for bid, possibly getting a lower offer saving the City and the people money, and at the same time having a legal contract authorizing these payments.

Mayor Janakovic commented that Ms. Daly will be addressing the blight issues later in the meeting. He also addressed the RDM billing concern. He said for years the Redevelopment Authority had been doing the billing at no cost. The Redevelopment Authority decided to go to a different billing system, and he had many questions as to why separate billing was needed at the cost of \$192,000. He has never gotten an answer other than they needed to separate the billings.

REPORT BY THE CITY MANAGER

Acting City Manager, Carlos Gunby, reported that the RFP for concessions at the Point Stadium and Roxbury has once again yielded no replies. At this point in preparation for next year's events at the Point Stadium, he will seek out vendors who would be interested in the opportunity before wasting any additional funding in advertisements. Josh Gibson, who owns the local Subway franchises, is willing to take the chance and ensure that there would be concessions at the Point Stadium for the remainder of the year. He

personally thanked Mr. Gibson for doing so. The Berkley Hills Golf Course RFPs are due this week, and he is requesting a special meeting with Council to discuss the offers and hopefully approve the awarding of the bid. He reminded Council of the upcoming Executive Session to discuss the manager candidates next Wednesday, October 8, 2014 at noon.

Mr. Gunby met with members of the Roxbury Civic Association to finalize plans for cameras at Roxbury Park. All of the locations are set. The electricity is set. Only the cameras are needed. The fire department conducted a smoke detector canvassing and distribution in Morrellville on September 7, 2014 in conjunction with the American Red Cross. The fire department has received some requests to do some installations. He thanked the fire department for performing that service.

The City of Johnstown was awarded a \$250,000 Department of Justice COPS grant for three years. The City will be able to add two additional officers for the period of those three years. Representative Barbin, Senators Wozniak, Toomey, Casey, Congressman Rothfus all stepped up and were willing to write Council letters of support, which helped with obtaining the grant. Johnstown was one of three cities in Pennsylvania to be awarded with the grant. The grant will be for fiscal years 2015, 2016, and 2017.

Mr. Gunby also noted Council is still awaiting notification from PennDOT on the additional intermodal transportation funding it hopes to receive to continue supporting the repair of the Main Street East garage, in addition to the \$600,000 already received.

This past Monday, September 29, 2014, Council held a blight workshop. He thanked all of Council who attended, as well as the county commissioners and many other arms. There was a lot of great information shared, though there is still a lot of work to be done. Council discussed the matter and Mr. Gunby will try to set up another meeting with the commissioners.

Mr. Gunby noted a contractor education and input meeting to discuss the proposed televising standards DEP has issued prior to Council being presented those standards for acceptance. He found the meeting to be very beneficial. There was representation from the residents, contractors and Council. He felt it was a session that everyone learned something from. Council needs to decide whether or not it is going to accept the standards, which will take place at the October 22, 2014 meeting.

There was a saturation patrol on September 22, 2014 in the City of Johnstown. Agencies involved were JPD, Pennsylvania State Police, Cambria County

District Attorney's Office Drug Task Force, Cambria County Sheriff's Deputies, Pennsylvania State Police Bureau of Liquor Control, the FBI, PA State Probation and Parole, Cambria County Probation, and the Pennsylvania State Police Western Auto Theft Task Force. There has been and will continue to be a collaboration to clean up the streets. He provided everyone with a few statistics from the patrol.

Mr. Gunby then recognized Officers Reginald Floyd, Ryan Stevens, Daniel Fisher, and Ryan Repak, who on September 11, 2014 apprehended and made the arrest of Remsey Jones. Remsey Jones is an individual out of Baltimore County, Maryland, with a violent felon record. He commended the officers for their work in taking this person off the street. He then answered questions from Council.

REPORT BY MAYOR

Mayor Janakovic was involved in a number of events throughout the month. He attended the fundraiser for capital funds for the YMCA and JAHA and the Community Foundation Fund for future projects at the Conference Center. He also participated in the groundbreaking for the Murtha Center up at UPJ. He commended the work of Dr. Spectar, the administration and the students on the work they are doing in Moxham. He congratulated JAHA on their successful sellout of their Blues and Brews at PNG Park. There were approximately 1,200 people in attendance. He also congratulated Mark Pasquerilla who was awarded by Governor Corbett at IUP with the Arts Patriot Award for his work in the community.

Mayor Janakovic attended a presentation on the Land Banks and in attendance were the County Commissioners, the Redevelopment Authority, business leaders, and other community leaders. The Land Bank will need to be a joint venture. He attended the Governor's presentation at the Conference Center on energy and his agenda is to deal with the Marcellus Shale and bringing jobs into the area. He presented a Proclamation for the rights of those long-term citizens and consumers that are living in residential facilities to make sure that they are getting the adequate care and respect that they deserve. He then thanked the legislators and congressmen, business leaders, the Governor himself, for making the grants possible for Council to receive.

REPORT BY THE CITY SOLICITOR

City Solicitor, David Andrews, in light of the search for a new city manager, reminded Council of the Home Rule Charter that applies to employment as city manager. The city manager will be appointed by Council by a vote of at least five members. The city manager shall be hired on the basis of demonstrated professional competence and education in public management.

Mayor Janakovic is preparing a letter to Dorothy Thomas and to Glenn Wilson to join Council in the search.

REPORT BY THE CITY ENGINEER

A representative from The EADS Group reported a number of letters being mailed on behalf of the City to different communities in which the sewer projects have already been taking place. There were 61 letters sent out to the Walnut Grove area letting the property owners know that the laterals were capped and if they want the laterals to remain capped or want the lateral locations moved or tied in live with the new system. The decision to have to go with the live tie-ins for monitoring in Roxbury has resulted in approximately 1,802 extra linear feet of sanitary sewer line needing to be installed. The Franklin Street paving is to be completed by the end of October with all other streets in the Roxbury area to be completed by the middle of November. On D&M's contract, also in Roxbury, two view port installations need to be completed. There were issues with existing storm laterals in relationship to homes.

The Oakhurst Phase I project is about 23 percent complete. Letters were sent to the property owners in that area to inform them that the project is progressing in their community and that EADS needs to speak with them regarding lateral locations.

Upcoming projects were then discussed. The Woodvale/Prospect project was advertised on September 8, 2014. Bid openings will take place on Thursday, October 9, 2014. Construction is set to begin in January 2015. In the month of September, there were 14 more pressure tests completed on property transfers. Some of the realtors have been suggesting the property owners still go through with the pressure testing as part of the sale. There were 30 downspout violations as of September 18, 2014. There were two responses with one actual compliance. There has been another 44 downspout violation letters sent to property owners in the Walnut Grove section. EADS will continue to prepare those letters and trickle them out to the public. The Harold Avenue/SR 56 intersection was discussed as well as the possibility for

two-way traffic on Harold Avenue. PennDOT was contacted. This project began in 2006 at which time there was no desire to have two-way traffic on the street. The design was completed and is under construction. EADS will follow up with PennDOT to see whether or not there is anything that can be done at this point. Council then had questions.

Fire Chief Anthony Kovacic received information on the insurance service organization (ISO) ranking. Johnstown was an ISO 3. Every ten years ISO comes in to reevaluate the fire department to determine the fire insurance. Headquarters was closed down, meaning that the ladder truck no longer responds, which made a significant void to the central business district. He was happy to report that through all the work over the last ten years the fire department still maintained an ISO 3. Chief Kovacic also discussed an occurrence in Moxham with carbon monoxide. He said with fall coming and furnaces kicking back on some carbon monoxide issues are beginning. He noted that the landlord/tenant agreement includes carbon monoxide detection. He then noted additional responses by the fire department during the month. He then reiterated Mr. Gunby's comments regarding partnering with the American Red Cross. The fire department is trying to hit the owner occupied individuals with smoke detectors. He said that carbon monoxide detectors, smoke detectors, and fire extinguishers should be in place at all times as per the ordinance. He then answered questions from Council regarding fire department matters.

Renee Daly, Economic Development Director, explained the Land Banks, Act 90, and some of the work that has been completed. Act 90 is an Act that gives the City a backbone to go after blighted properties. The issue is that it is then the City's responsibility to follow through with demolition of the site. Currently there is approximately \$5 million needed to demo the properties. At the Land Bank meeting, a question was posed by Mayor Janakovic on combining Act 90 with the Land Bank. Internally she is considering the possibility of leveraging Act 90 and the secured funds through the Land Bank. She further explained the process to Council and answered questions on blighted properties throughout the City.

Mr. Gunby noted being at 73 percent of tax collections currently. With the number of absentee properties that currently exist in the City of Johnstown, Council is at about a 23 percent return rate of all letters sent to property owners. He said there is a direct correlation for those who actually have stake in a property and are willing to take care of those properties versus those who have no care in the world on what is happening with the properties.

REPORT ON PRIOR YEARS AUDIT FINDINGS

No Report.

COUNCIL COMMITTEE REPORTS

Public Safety/Public Works Committee

Mr. Johncola thanked Mr. Sprincz and Public Works for cleaning up intersections and sidewalks in Prospect.

Buildings and Grounds Committee

Mr. Gentile said that money is greatly needed for the trucks to do some snow plowing this winter because if any of them break down no one will get their streets plowed. He commended Mr. Sprincz for the job he does.

Mayor Janakovic said everyone needs to roll up their sleeves and do the best they can with what the City has.

Parking/Operations Committee

No Report.

Boards, Authorities and Commissions Committee

No Report.

Recreation Committee

No Report.

Budget and Finance Committee

No Report.

Community and Economic Development Committee

No Report.

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NEIGHBORHOOD LIAISONS

7th Ward

No Report.

Roxbury/8th Ward

Mr. Mickel commented on the Roxbury Civic Group. The Group is raising money for the installation of security cameras in the playground. An account was set up with the Community Foundation that would allow donors to contribute.

Moxham/Hornerstown

No Report.

West End/Cambria City

Mrs. Mock reported that the West End Improvement Group had a car wash to help aid in the purchase of surveillance cameras. The car wash earned over \$1,000. There was a 10k walk/run last year for the same purpose that raised approximately \$500. So currently there is \$1,500 for the cameras. There is a fund at the Community Foundation where the money will be going. A goal of \$10,000 was set. She is working on obtaining some grants. Meetings with camera vendors will be scheduled. She is excited for the initiative and hopes to have the project completed by spring of 2015. She also commented on the success of the community garden.

Mr. Gentile thanked West End Auto for donating the water for the car wash.

Mr. Vitovich reported the West End Ambulance Service is celebrating forty years on Sunday, October 5, 2014, at the Westwood Fire Hall at 4 p.m. Everybody is more than welcome to come.

Mayor Janakovic announced that the group that is taking over the churches in Cambria City are doing a performance on Friday, October 3rd, 2014. All proceeds go to benefit. Saturday, October 4, 2014 is the NAACP freedom dinner at the Conference Center. JAHA will kick off Mental Health Awareness Week on Sunday, October 5th with a candlelight vigil at 6:30 p.m.

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Kernville

No Report.

Woodvale/Conemaugh Borough/Prospect

No Report.

Oakland

No Report.

COMMUNICATIONS

Mayor Janakovic noted the Planning Commission minutes of September 3, 2014.

Mr. Johncola made a motion to approve the minutes. The motion was seconded by Mr. Vitovich and ruled on by the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock,
Mr. Vitovich, Mr. Vizza, Mr. Gentile (7).
Nays: None (0).

Mayor Janakovic noted the receipt of code complaints. Council also received a memo from Mr. Jack Williams in regard to the billing, which will be addressed through a resolution.

PETITIONS

None.

ORDINANCES FOR FIRST READING

1. BILL NO. 22 AN ORDINANCE VACATING CANVASBACK PLACE BETWEEN TAMRAN AND COOPER AVENUE AND TAMERIND PLACE IN THE TWENTY-FIRST WARD OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE.

Mrs. Mock made a motion to approve the ordinance. The motion was seconded by Mr. Vitovich and ruled on by the following vote:

Yeas: Mr. Johncola, Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza,
Mayor Janakovic (6).

Nays: None (0).

Abstentions: Mr. Gentile (1).

2. BILL NO. 23 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO TRANSFER CERTAIN REAL PROPERTY TO THE JOHNSTOWN REDEVELOPMENT AUTHORITY FOR THE DEVELOPMENT OF NEW LOW-INCOME RESIDENTIAL HOUSING.

Mr. Gunby reported that this is for the Cypress Avenue School.

Mrs. Mock made a motion to approve the ordinance. The motion was seconded by Mr. Johncola and ruled on by the following vote:

Yeas: Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mr. Gentile,
Mayor Janakovic, Mr. Johncola (7).

Nays: None (0).

ORDINANCES FOR FINAL READING (Prior Meeting)

1. BILL NO. 18 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 \$10,900,000.00 FOR PURPOSES OF REHABILITATING THE WOODVALE/PROSPECT SANITARY STORM SEWER SYSTEM TO ELIMINATE INFILTRATION AND INFLOW BY REHABILITATING THE COLLECTION LINES AND ELIMINATING INTERCONNECTIONS BETWEEN THE SANITARY AND STORM SEWER SYSTEMS.

Mr. Gentile made a motion to approve the ordinance. The motion was seconded by Mr. Johncola and ruled on by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mr. Gentile, Mayor Janakovic,
Mr. Johncola, Mr. Mickel (7).

Nays: None (0).

2. BILL NO. 19 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE ENDORSEMENT OF THE EMERGENCY REPAIR LOAN PROGRAM.

Mr. Mickel made a motion to approve the ordinance. The motion was seconded by Mr. Gentile and ruled on by the following vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mr. Gentile, Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock (7).
Nays: None (0).

3. BILL NO. 20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, CURATIVELY AMENDING THE ZONING ORDINANCE MAP OF THE CITY OF JOHNSTOWN.

Mr. Mickel made a motion to approve the ordinance. The motion was seconded by Mr. Johncola and ruled on by the following vote:

Yeas: Mr. Vizza, Mr. Gentile, Mr. Johncola, Mr. Mickel, Mr. Vitovich (5).
Nays: None (0).

Abstentions: Mayor Janakovic, Mrs. Mock (2).

4. BILL NO. 21 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE ENDORSEMENT OF THE OWNER-OCCUPIED HOUSING REHABILITATION LOAN PROGRAM.

Mr. Vitovich made a motion to approve the ordinance. The motion was seconded by Mr. Gentile and ruled on by the following vote:

Yeas: Mr. Gentile, Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza (7).
Nays: None (0).

RESOLUTIONS

RESOLUTION NO. 9700

1. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE ACTING CITY MANAGER TO ADVERTISE FOR REQUESTS FOR PROPOSALS FOR BILLING AND COLLECTION SERVICES OF THE CITY SEWER RENTAL FEES.

Mr. Gunby stated that up until this point there had been no formal contract in place with the current service that had been approved by Council for them to perform that service. Council is now going through with an RFP process that will be done immediately. Once those bids are received they will be opened under the registered procurement methodology and an organization will be selected to continue with that service or to take over that service.

Mr. Vitovich made a motion to approve the resolution. The motion was seconded by Mr. Gentile and ruled on by the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock,
Mr. Vitovich, Mr. Vizza, Mr. Gentile (7).
Nays: None (0).

RESOLUTION NO. 9701

2. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A SUPPORT LETTER ON BEHALF OF CITY COUNCIL FOR THE CYPRESS GARDENS SENIOR HOUSING DEVELOPMENT PROJECT, LOCATED AT THE FORMER CYPRESS AVENUE SCHOOL.

Ms. Daly confirmed with the state that they are okay with Council submitting two support letters for both developments. The developer can only actually put in one application per funding source, but each municipality can put in multiple requests.

Mr. Gentile made a motion to approve the resolution. The motion was seconded by Mr. Vitovich and ruled on by the following vote:

Yeas: Mr. Johncola, Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza,
Mr. Gentile, Mayor Janakovic (7).
Nays: None (0).

RESOLUTION NO. 9702

3. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A SUPPORT LETTER FOR THE ROXBURY PLACE HOUSING DEVELOPMENT PROJECT, LOCATED AT THE FORMER ROXBURY SCHOOL.

Mr. Vitovich made a motion to approve the resolution. The motion was seconded by Mr. Gentile and ruled on by the following vote:

Yeas: Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mr. Gentile, Mayor Janakovic, Mr. Johncola (7).

Nays: None (0).

RESOLUTION NO. 9703

4. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN ACCEPTING THE CODIFICATION OF ORDINANCES UPDATED FOR THE PERIOD OF MAY 2013 THROUGH MAY OF 2014 BY AMERICAN LEGAL PUBLISHING.

Mrs. Mock made a motion to approve the resolution. The motion was seconded by Mr. Johncola and ruled on by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mr. Gentile, Mayor Janakovic, Mr. Johncola, Mr. Mickel (7).

Nays: None (0).

OLD BUSINESS

Mr. Vizza noted a vacant seat on the Housing Authority and nominated Brian Vuletich to fill the five-year term. Mr. Mickel seconded the nomination.

Mrs. Mock nominated John Slezak to have another five-year term on the Housing Authority. Mr. Johncola seconded the nomination.

Mr. Vitovich, Mr. Vizza, Mr. Gentile, and Mr. Mickel were in favor of Mr. Vuletich.

Mayor Janakovic, Mr. Johncola, and Mrs. Mock were in favor of Mr. Slezak.

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Mr. Vitovich noted the golf tournament held at Berkley Hills. The tournament generated \$10,400 for the police department. He thanked everyone involved.

NEW BUSINESS

Mr. Gunby noted that the City actually owns quite a bit of property with a significant number of trees. He requested permission from Council to pursue a forester to evaluate the land plots to see if there is a significant amount of timber that could benefit the City's revenue stream or other needs. Council was in favor.

Mayor Janakovic asked for a brief Executive Session on personnel.

There being no further business, the meeting was adjourned at 7:38 p.m.