

JOHNSTOWN CITY COUNCIL MINUTES
Wednesday, October 26, 2016

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. City Manager Melissa Komar offered the invocation, and the Pledge of Allegiance was recited.

Mayor Janakovic, on behalf of Council, Administration, employees and citizens, expressed sincere condolences and sympathies to the Shawn Rager Family.

Mrs. Rager thanked the citizens of Johnstown, Richland and the surrounding communities and Craig Foust and Kristen Denne for the support provided to her and her four sons.

Mayor Janakovic noted an Executive Session was held with regard to litigation and personnel issues prior to the start of the meeting

The following members of Council were present for roll call:

Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams (7).

Interim City Manager Melissa Komar and Elizabeth Benjamin, Solicitor, were also present.

APPROVAL OF MINUTES

None.

COURTESY OF THE FLOOR ON AGENDA ITEMS ONLY

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council with regard to Bill No. 40 of 2016, which he read into the record as follows: An ordinance by Council of the City of Johnstown, Cambria County, Pennsylvania, placing on the May 17, 2017 primary election ballot for the City of Johnstown the voter referendum question for consideration by the City of Johnstown electorate to reduce the number of elected Councilpersons from six Councilpersons and one Mayor to four Councilpersons and one Mayor effective January 1st, 2018.

Mr. DeBartola noted that keeping the number of members at seven is making sure we have individuals that "really want to represent the community" and "want to

build Johnstown into a better place". He requested Council to table the bill and "keep the Council at seven".

REPORT BY CITY MANAGER

Melissa Komar, Interim City Manager, reported on two fires, one at 900 Oak Street and the 1100 block of Virginia Avenue. She commended the City firemen for preventing the fire from traveling to the adjacent structures.

Mrs. Komar noted the City emergency management, fire and police implemented the recent Trump Rally at the Cambria County War Memorial.

Assistant Chief Statler, Captain Shrock, Firefighters Carnahan and Moore recently completed the FEMA structural collapse technician school at Virginia Beach. She noted the PEMA Region 13 Grant paid for the program.

She reported that eight City police officers were given letters of commendation for the barricaded person with a gun on October 5th, 2016, in the West End.

Currently SMG and Cambria County War Memorial are working on improving the scheduling efficiency throughout the department and have participated in the state funded aggressive driving program.

Mrs. Komar noted new parking arrangements at the Lincoln Street Parking Garage working with Duke LifePoint to fill the parking garages. The ITC Parking Garage was also sold out during the Trump Rally. She stated Finance will be exploring new insurance means to reduce future expenditures.

The Interim City Manager reported that Public Works has cleared the trees off the hillside along Millcreek Road. She noted the leaf vac and street cleaner are working throughout the nights and early mornings to keep the streets cleaned. Public Works has participated in a class for traffic control signage and devices.

Mrs. Komar noted that demolition for fire structures are being addressed, and the City will lien the properties for the demolition costs. Ms. Daly visited Philadelphia to meet with the U.S. Economic Development Administration, which granted \$1.9 million for the project. She noted the meeting was to inform EDA of the recent closing of the Cambria Rowe Business College and its impact on the community. EDA was also updated on a new tenant and asked for approval of funding for the Conrad Building.

Ms. Daley noted a \$1.9 million grant to JBDBC and that there would be an educational piece in that building that would focus on either education to older adult students and/or ITE, information technology. Final approval should be within the next few days.

Mrs. Komar noted the Housing Authority will provide information to the public regarding the recycling program and the location of recycling centers.

Mr. Vitovich noted the Housing Authority has agreed to help with the recycling program. Mr. Williams noted that money was received years ago to cover the cost of the recycling receptacles.

REPORT BY THE MAYOR

Frank Janakovic, Mayor, thanked Forever Broadcasting for organizing the Halloween Parade as well as all of the sponsors, organizations, school bands, fire departments, police departments, businesses, individual participants, and the crowd in attendance, as well as the police and fire departments.

The Mayor noted Mr. Polacek will speak later on with regard to the Visioning Committee meeting.

He noted that Discover Downtown is moving forward with plans for the Christmas Parade and Christmas tree in Central Park. A gift shop will operate during the holiday season and a life-size train to pull passengers around the central business district for one weekend in December. Vendors will be in the park selling food, drinks and gifts. He stated local businesses will be urged to stay open later than usual during the holiday season. Toy Soldiers were painted and placed around town. Full details will become available in the future with regard to a project by Discover Downtown.

Mayor Janakovic noted damage to the scarecrows in Central Park, which prompted Discover Downtown to install cameras. He thank the Discover Downtown group for their efforts.

Congressman Rothfus and Wessel and Company conducted a roundtable discussion with regard to the overtime law effective December 1st, 2016. Businesses will be required to pay overtime for employees making less than \$47,000.

Cambria County Transit Authority, County Redevelopment Authority, Community Foundation, Discover Downtown, the Visitor's Bureau, Visioning 2025, JAHA and other individuals attended a recent Lift Johnstown quarterly

meeting. There was discussion regarding the beautification of the Old Conemaugh section of the City as an entrance into the City.

Mayor Janakovic stated that funding is in place to complete the renovations on the Incline Plane.

Lift Johnstown will connect local trails for Johnstown to become a destination point for tourists.

The Mayor congratulated Bob Layo on his retirement as President of the Chamber of Commerce.

Cable Channel 14 continues to broadcast the sewer project schedule. He reminded residents that up to \$1,000 is available for those who have completed their sewage work and pressure testing.

There was discussion regarding the sewage camera televising.

REPORT BY THE CITY SOLICITOR

Elizabeth Benjamin, Esquire, City Solicitor, discussed Bill No. 29, which was tabled at the last meeting, and reviewed potential amendments to Section 206. She distributed a proposed motion to amend to be addressed at the appropriate time by Council.

Mr. Williams referred to a September 20, 2016 document with regard to the execution of contracts and agreements.

Attorney Benjamin discussed the ability of City Council to enter into agreements and contracts with the number of Council seats coming up for appointment or the contest in the following election. She noted that Council can make a motion authorizing her to offer a legal opinion on the matter and its influence on the contracts for future consideration by the City.

Mr. Williams made a motion to request that an opinion be rendered. The motion was seconded by Mrs. Stanton.

Mayor Janakovic questioned the generality of the motion as opposed to a specific ordinance or resolution. There was further discussion regarding the matter.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza,
Mr. Williams, (6).

Nays: Mr. Johncola (1).

REPORT ON PRIOR YEAR'S AUDIT FINDINGS

Mrs. Komar noted the court hearing scheduled for the unfunded debt loan on
November 15, 2016, at 1:30 p.m.

COUNCIL COMMITTEE REPORTS/NEIGHBORHOOD REPORTS

Mr. Vitovich - No Report.

Mr. Vizza - No Report.

Mr. Williams - No Report.

Mr. Johncola - No Report.

Mrs. Mock noted a Coffee with Cops with the West End Improvement Group was
recently held.

West End Improvement Group will hold a basket party on Sunday, November 6, 2016
at St. Therese Church to raise money for cameras and additional items.

She noted a telemarketing company from Broad Street will assist in the cleanup the
community garden.

She noted good representation at the last meeting of the United Neighborhood
Association at Christ Centered Community Church.

Mrs. Stanton requested an update on the poor condition of the sidewalks on Sell
Street. Mrs. Komar indicated the one-year warranty has expired.

The Prospect Store is now called Private Stock, a women's clothing store. Mrs. Mock
noted a Good Will kiosk for job searching availability will be installed at that
store.

Mrs. Stanton discussed her attendance at the Moxham Crime Watch meeting. She noted the group made signs for residents' windows announcing that Moxham is under video surveillance. Members of the Crime Watch will wear orange vests and watch for the safety of the kids during Trick or Treat night.

Mrs. Stanton noted a Coffee with Cops scheduled for November 17, 2016, at 6:00 in the cafeteria.

She walked with the Moxham Lutheran Church group through the neighborhood to pick up litter. The Lutheran Church will conduct an election eve prayer vigil from 4:00 to 8:00 p.m. Refreshments will be served.

Mrs. Stanton organized a gathering at the Park Avenue Playground, where hands were joined in a circle of prayer for the City. Over 300 items were collected for the food pantry at the Park Avenue church. She thanked all for their generous donations.

Mrs. Stanton attended the dedication service for a new church, Heavenly Sent Ministries, Somerset Street in Kernville. Reverend Williams is the church's pastor.

Mrs. Stanton noted a seminar held recently at Roxbury St. Paul's United Methodist Church to provide an understanding of the resources available to those preparing for end of life decisions. Mrs. Stanton discussed the yellow dot packets, which she distributed to Council members.

Mrs. Stanton stated a Trunk or Treat will be held on October 31, 2016, at Roxbury St. Paul's Church parking lot.

Mrs. Stanton suggested the handicapped swings at the Park Avenue Playground be stored for the winter. Cameras installed at the Park Avenue United Methodist Church, which point over to the playground, do not show the playground clearly on camera. She asked to have the cameras adjusted to show the area.

Mr. Williams offered his thanks to Mrs. Stanton and the Chief and Interim Chief for their assistance.

COMMUNICATIONS

1. Planning Commission Minutes of October 5, 2016.
2. Code complaints: One each from Kelly Swanson, John Swanson, Thomas Kozlowski, Juanita Kozlowski, Adam Kozlowski, Michelle Kozlowski,

Homer Mattes, Wendy Penrose, Courtney Dietke, Crystal Warhul, Joe Warhul, Mary Zagrod, Michael Zagrod, 174 Sell Street; Charlene Stanton, four (4).

3. October 19 letter from Solicitor Benjamin re: Bill No. 29 of 2016, 206 Amendments

ORDINANCES FOR FINAL READ:

BILL NO. 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 UPDATED PROCEDURES AND IMPROVE EFFICIENCY IN CONDUCTING CITY BUSINESS. Tabled October 12, 2016.

Mrs. Mock made a motion to remove from table. The motion was seconded by Mr. Vitovich.

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic (7).

Nays: None (0).

Mr. Vitovich made a motion to accept the changes as presented by Solicitor Benjamin. The motion was seconded by Mrs. Mock.

Attorney Benjamin read the motion to amend Bill No. 29, which provides for Section 206 into the record as follows: Council members shall attend all regular meetings of Council. And as a matter of courtesy are expected to remain present until the regular meeting is recessed/adjourned. The member of Council or the Mayor shall forfeit his or her office upon failure to attend three consecutive regular meetings of Council unless detained by sickness, prevented by necessary absence from the municipality or caused by other reasons excusable by the City Council. It is understood that the reference to all regular meetings is a reference to all meetings stated and scheduled for the year as regular meetings of Council typically held on the second Wednesday of the month unless otherwise advertised and publicly notified as having been rescheduled.

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Attorney Benjamin explained the motion is to clarify that its regular meetings that are being identified in the event of a continuing absence by a Council member.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,
Mayor Janakovic, Mr. Johncola (7).

Nays: None (0).

Mrs. Mock made a motion to accept the amended ordinance as read by Attorney Benjamin. The motion was seconded by Mr. Johncola and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola,
Mrs. Mock (5).

Nays: Mrs. Stanton, Mr. Williams (2).

BILL NO. 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 (as previously attached).

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

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola,
Mrs. Mock (5).

Nays: Mr. Williams, Mrs. Stanton (2).

BILL NO. 38 OF 2016, AN ORDINANCE IMPOSING UPON DELINQUENT TAXPAYERS THE OBLIGATION TO PAY REASONABLE COSTS INCURRED BY THE TAX COLLECTOR FOR THE COLLECTION OF DELINQUENT MUNICIPAL TAXES, PENALTIES AND INTERESTS; REPEALING INCONSISTENT ORDINANCES AND/OR PORTIONS OF INCONSISTENT ORDINANCES; INCLUDING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

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

Yeas: Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock,
Mr. Vitovich (5).
Nays: Mr. Williams, Mrs. Stanton (2).

ORDINANCES FOR FIRST READ

BILL NO. 39 OF 2016, AN ORDINANCE AMENDING ORDINANCE NO. 4654 AS AMENDED BY ORDINANCE NO. NOS. 4693, 4731, 4880, 4894, 4902, 4908, 4991, 5015, 5024, 5034, 5042, 5055, 5058, 5069, 5177, 5194, 5196, 5199 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, BY FURTHER AMENDING ARTICLE II - ELECTED OFFICIALS - COUNCIL ORGANIZATION PROCEDURES SECTION 203, ORGANIZATION OF COUNCIL.

Mr. Williams made a motion to approve the ordinance. The motion was seconded by Mrs. Stanton.

Mrs. Stanton noted this ordinance states that Council meetings will not begin before 5:00 p.m. giving City residents as well as herself as a Council member an opportunity to attend.

The motion failed by the following vote:

Yeas: Mr. Williams, Mrs. Stanton (2).
Nays: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,
Mr. Vizza (5).

BILL NO. 40 OF 2016, AN ORDINANCE BY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, PLACING ON THE MAY 17, 2017 PRIMARY ELECTION BALLOT FOR THE CITY OF JOHNSTOWN THE VOTER REFERENDUM QUESTION FOR CONSIDERATION BY THE CITY OF JOHNSTOWN ELECTORATE TO REDUCE THE NUMBER OF ELECTED COUNCILPERSONS FROM SIX (6) COUNCILPERSONS AND ONE (1) MAYOR TO FOUR (4) COUNCILPERSONS AND ONE (1) MAYOR EFFECTIVE JANUARY 1, 2018.

Mrs. Mock made a motion to table the ordinance. The motion was seconded by Mr. Johncola and passed by the following vote:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,
Mr. Vizza (5).

Nays: Mrs. Stanton, Mr. Williams (2).

RESOLUTIONS

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING THE INTERIM CITY MANAGER WITH THE ASSISTANCE OF THE CITY SOLICITORS TO PROCEED WITH AND ADVERTISE FOR REQUEST FOR PROPOSALS FOR THE SALE OF CITY OWNED TIMBER AS IDENTIFIED IN THE TIMER INVENTORY/APPRaisal OF AUGUST 2015 PREPARED BY MICHAEL BARTON FORESTRY CONSULTING (With cover dated July 24, 2015) AND THE EADS GROUP.

Mr. Vitovich made a motion to approve the resolution. The motion was seconded by Mrs. Stanton.

Mrs. Stanton noted the estimated amount for the timber in 2015 was a pretty large sum at a total value of \$2,149,600, although it was noted by a representative of the EADS Group that the timber values have dropped. Mrs. Mock agrees that the trees need to be harvested but stated she would like Mr. Barton to explain the matter further. The City Manager will schedule a workshop with Mr. Barton in the near future.

Mr. Vitovich made a motion to table the resolution. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza,
Mayor Janakovic (5).

Nays: Mrs. Stanton, Mr. Williams (2).

Resolution No.

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 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 CCN PROPERTIES, LLC, EXECUTED ON JULY 27, 2016.

Mr. Williams made a motion to approve the resolution. The motion was seconded by Mrs. Stanton.

Mrs. Stanton noted this is the second time she and Mr. Williams proposed this resolution. There was further discussion regarding the resolution. Mrs. Stanton inquired if the City can get a reassessment on that being that this \$42,000 amount was when the garage was there. Attorney Benjamin explained that the City can notify County Assessment and go from there to see what degree of formality might be required in those types of circumstances. She noted also that the listing agent can be contacted for clarification on advertisement. Attorney Benjamin explained that January 1st was the expiration of the period for which it was going to be advertised. And then following that period, if there had been no buyers, you were going to proceed with the parklet project. Mayor Janakovic noted the parklet would be an asset to that property. It was noted the property should be reassessed and then readvertised.

The motion failed by the following vote:

Yeas: Mrs. Stanton, Mr. Williams (2).

Nays: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola (5).

Resolution No. 9893

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO

**SIGN A CONTRACT FOR THE CONTINUATION OF POLICE SERVICES
WITH THE JOHNSTOWN HOUSING AUTHORITY FOR THE
SOLOMON, PROSPECT, COOPERSDALE AND OAKHURST
COMMUNITIES UPON REVIEW OF THE CITY SOLICITOR.**

Mr. Vitovich made a motion to approve the resolution. The motion was seconded by Mr. Williams.

Attorney Benjamin explained the resolution has been reviewed and will follow up with the City Manager with regard to contacting the Housing Authority, but otherwise, it's fine in terms of form and proceeding.

This reflects a two percent increase from last year.

The motion passed by the following vote:

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

Resolution No. 9894

**A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO
SIGN A CONTRACT FOR CONTINUATION OF POLICE SERVICES
WITH THE JOHNSTOWN HOUSING AUTHORITY FOR THE VINE
STREET, FULTON J. CONNOR AND TOWN HOUSE TOWERS UPON
REVIEW OF THE CITY SOLICITOR.**

Mrs. Mock made a motion to approve. The motion was seconded by Mr. Williams.

This reflects a two percent increase from last year.

The motion passed by the following vote:

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

Resolution No. 9895

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AS DECLARATION OF OFFICIAL INTENT TO REIMBURSE GENERAL FUNDS USED TO CONSTRUCT IMPROVEMENTS FOR THE EIGHT WARD SANITARY SEWER REHABILITATION PROJECT PHASE IN ORDER TO REMOVE INFILTRATION AND INFLOW TO THE SANITARY SEWER SYSTEM BY REHABILITATING THE COLLECTION LINES AND ELIMINATING INTERCONNECTIONS BETWEEN THE SANITARY AND STORM SEWER SYSTEM WITH FUNDS RECEIVED FROM THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock

Mr. Williams inquired if this authorizes the administration to spend or transfer any money. Attorney Benjamin explained that this is in connection with the PennVEST loan and is required as a declaration of intent regarding the City's use of the PennVEST loan funds. And it's confirming that the City's intent would be to reimburse its general fund from the proceeds of the loan in the event the general fund was utilized to pay for any portion of the project. It's a declaration of what the intent would be. Attorney Benjamin noted it does not provide authorization to actually make the transfer of any funds, that a subsequent action would be needed for that purpose.

The motion passed by the following vote:

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

Mrs. Stanton made a motion to remove the following resolution from table. The motion was seconded by Mr. Williams. It was read into the record as follows:

Resolution No.

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 EXISTS INTEREST BY

THE RESIDENTS AND ELECTED OFFICIALS OF THE RESPECTIVE
MUNICIPALITIES AS TO THE FEASIBILITY OF ANY POSSIBLE
MUNICIPAL CONSOLIDATION.

Mrs. Stanton made a motion to remove from table. The motion was seconded by Mr. Williams and failed by the following vote:

Yeas: Mr. Williams, Mrs. Stanton, Mr. Vizza (3).

Nays: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich (4).

The City Manager was asked to schedule a workshop prior to the next meeting with regard to the above matter. Mayor Janakovic suggested inviting boroughs and townships to obtain their opinions on the matter.

NEW BUSINESS

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Janakovic explained that nominations will be received and vacancies voted on. There was further discussion with regard to the voting procedure.

Mr. Williams made a motion to open nominations. The motion was seconded by Mrs. Stanton.

Nominations for the two Planning Commission vacancies as follows:

Mr. Johncola nominated Connie Martin. Mrs. Mock nominated Laura Huchel. Mrs. Stanton nominated Lindy Yutzy and Pam Renowden. Mr. Williams nominated John DeBartola.

Roll call for Connie Martin:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,
Mr. Vizza (5).

Nays: Mrs. Stanton (1).

Mr. Williams: Mr. DeBartola

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Roll call for Laura Huchel:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza,
Mayor Janakovic (5).
Nays: Mrs. Stanton (1).
Mr. Williams: John DeBartola.

Roll call for Lindy Yutzy:

Yeas: Mrs. Stanton (1).
Nays: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola (5).
Mr. Williams: John DeBartola

Roll call for John DeBartola:

Yeas: Mr. Williams (1).
Nays: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola, Mrs. Mock (6).

Roll call for Pam Renowden:

Yeas: Mrs. Stanton (1).
Nays: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,
Mr. Vizza (5).
Mr. Williams: John DeBartola

Nominations for the Zoning Hearing Board vacancy as follows:

Mrs. Mock nominated Mike Grandinetti. Mr. Williams nominated Lindy Yutzy, John DeBartola, and Laura Huchel.

Mr. Vitovich made a motion to close nominations.

Roll call for Mike Grandinetti:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza,
Mayor Janakovic (5).
Nays: Mrs. Stanton (1).
Mr. Williams: John DeBartola

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Roll call for Lindy Yutzy:

Yeas: Mrs. Stanton (1).

Nays: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola (5).

Mr. Williams: John DeBartola

Nominations for Johnstown Housing Authority vacancy as follows:

Mr. Johncola nominated Mike Vuckovich. Mr. Williams nominated Mr. DeBartola.

Mr. Vizza and Mrs. Stanton nominated Bruce Newkirk.

Mr. Williams withdrew Mr. DeBartola's name as he is not a resident.

Roll call for Mike Vuckovich:

Yeas: Mr. Vitovich, Mayor Janakovic, Mr. Johncola, Mrs. Mock (4).

Nays: Mrs. Stanton, Mr. Vizza, Mr. Williams (3).

Attorney Benjamin explained Mr. Vitovich is voting as a Council member and not as a member of the Housing Authority.

Roll call for Bruce Newkirk:

Yeas: Mr. Vizza, Mr. Williams, Mrs. Stanton (3).

Nays: Mr. Vitovich, Mayor Janakovic, Mr. Johncola, Mrs. Mock (4).

Nominations for Shade Tree Commission vacancy as follows:

Mrs. Stanton noted that in reviewing the PA statute 1933, Act 69, the Shade Tree Commission shall be composed of three members who shall be residents of the township.

Mrs. Stanton made a motion authorizing the Solicitor to prepare an ordinance decreasing the size of the commission to three members. The motion was seconded by Mr. Williams and failed by the following vote:

Yeas: Mr. Vizza, Mr. Williams, Mrs. Stanton (3).

Nays: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich (4).

There was further discussion regarding the motion.

Mrs. Mock made a motion to nominate Tim Dabbs. The motion was seconded by Mr. Vitovich.

Mr. Vizza nominated Jane Highland.

Mr. Vitovich nominated Sue Costlow. Mr. Williams questioned whether an application was filed by Ms. Costlow. Mayor Janakovic noted that her nomination cannot be voted on without her application.

Roll call for Tim Dabbs:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,
Mr. Vizza (5).
Nays: Mr. Williams, Mrs. Stanton (2).

Roll call for Jane Highland:

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

Nominations for Vacant Property Review Committee as follows:

Mrs. Stanton made a motion to dissolve this Board due to inactivity. Mr. Williams noted that by passing Bill No. 29 committees were eliminated. Attorney Benjamin explained that the bill was updated and revised at the recent workshop. She noted that Bill No. 29 provides that Council may at any time provide through standing and ad hoc committees to assist with the carrying out of its function. And any such committee appointed by Council shall thereafter report to Council and the manner of appointment shall be specified in the motion. There was further discussion regarding nominations of members of other boards who currently hold the position specified in the ordinance.

Mayor Janakovic suggested tabling this matter for further clarification.

Mr. Williams referred to a document with regard to appointments made by resolution.

Mrs. Mock made a motion to table the appointment to the Property Review Committee. The motion was seconded by Mr. Vitovich and passed by the following vote:

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

Nominations for Board of Appeals, Code Hearing Board as follows:

All seats vacant.

Mayor Janakovic nominated Don Buday and Jean Tanaka. Mrs. Mock nominated Jim Carthew. Mr. Vitovich nominated Rick Truscello. Mrs. Stanton nominated Lindy Yutzy. Dave Vitovich.

Attorney Benjamin explained that decisions from the Code Hearing Board are appealed to City Council. She will review the ordinances and procedures regarding Mr. Vitovich's consideration as a Council member.

Roll call for Don Buday:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola (5).
Nays: Mrs. Stanton, Mr. Williams (2).

Roll call for Jim Carthew:

Yeas: Mr. Vitovich, Mayor Janakovic, Mr. Johncola, Mrs. Mock (4).
Nays: Mrs. Stanton, Mr. Vizza, Mr. Williams (3).

Roll call for Rick Truscello:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola,
Mrs. Mock (5).
Nays: Mr. Williams, Mrs. Stanton (2).

Roll call for Lindy Yutzy:

Yeas: Mr. Williams, Mrs. Stanton (2).
Nays: Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock,
Mr. Vitovich (5).

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Roll call for Jean Tanaka:

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich (4).
Nays: Mr. Williams, Mrs. Stanton, Mr. Vizza (3).

Nominations for two Civil Service Commission vacancies as follows:

Mrs. Stanton nominated Pam Renowden and Mary Ann Lovrich. Mr. Johncola nominated Charles Arnone. Mr. Vitovich nominated Dennis Alberter. Mr. Williams nominated John DeBartola.

Roll call for Pam Renowden:

Yeas: Mrs. Stanton, Mr. Williams (2).
Nays: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich,
Mr. Vizza (5).

Roll call for Charles Arnone:

Yeas: Mr. Johncola, Mrs. Mock, Mr. Vitovich, Mr. Vizza,
Mayor Janakovic (5).
Nays: Mrs. Stanton, Mr. Williams (2).

Roll call for John DeBartola:

Yeas: Mr. Williams (1).
Nays: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola (6).

Roll call for Dennis Alberter:

Yeas: Mr. Vitovich, Mayor Janakovic, Mr. Johncola, Mrs. Mock (4).
Nays: Mrs. Stanton, Mr. Vizza, Mr. Williams (3).

Roll call for Mary Ann Lovrich:

Yeas: Mrs. Stanton, Mr. Vizza, Mr. Williams (3).
Nays: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich (4).

Nomination for a business person for the City Manager Search Committee as follows:

Mr. Johncola nominated Dave Layman. The nomination was seconded by Mr. Vitovich.

Roll call for Dave Layman:

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza,
Mayor Janakovic (6).
Nays: Mr. Williams (1).

OLD BUSINESS

Mr. Williams presented a referendum under the Home Rule Charter to attempt to place on the ballot for the citizens to decide whether meetings should be earlier than 5:00 p.m. He will also submit another referendum on Monday for the same consideration under the Home Rule Charter for the possible reduction of the size of Council, which had already been tabled.

Attorney Benjamin explained that the referendum can remain tabled, which does not prevent the actions of Mr. Williams to form a petitioners' committee. She stated the referendum will remain on the table, but if taken off table at the next meeting, the referendum might impact the petitioners' committee procedures. She is not aware of anything that prohibits the petition procedures from taking place because an ordinance has been tabled.

There was discussion with regard to meetings held before 5:00 p.m. and also the size of Council.

Attorney Benjamin clarified that the Home Rule Charter states the voters may by initiative propose such an ordinance for enactment or appeal if a proposed ordinance is not adopted. Mr. Williams noted the ordinance was not adopted nor defeated. He stated the City Manager has 30 days to certify the signature and 60 days for Council to act. Attorney Benjamin explained further that nothing can go to referendum until there has been an ordinance presented. Once an ordinance is presented, any failure to act is also interpreted as a failure to act.

PUBLIC COMMENTS ON NONAGENDA ITEMS

Bill Polacek, CEO, JWF Industries, provided an update as Chair of Vision 2025 as well as JARI. He stated Vision 2025 creates a collaboration amongst the community. Mr. Polacek indicated that Senator Toomey, Senator Casey, Congressman Rothfus, state representatives, and the Governor have been briefed on the 2025 plan. A representative from Harvard provided opinions on the beautification of the area and the river walls. Mr. Polacek noted that the 800 people signed up see the opportunity and potential in this region. He stated, "Lowering the cost of flood insurance is critical to future development." Cleaning the rivers and river walls recreation as opposed to just flood control is being considered. Mr. Polacek indicated that November marks the end of the first year of people giving their time, energy, and money to make a difference in this town. He invited Council members to attend the First Annual Vision 2025 Celebration.

Mr. Polacek noted federal and state monies will be available and further noted the Governor has made a commitment to our community.

Mayor Janakovic explained that money coming into the City is not "magically appearing" because we are all nice guys or ladies, but rather there has been a lot of work behind the scenes.

OLD BUSINESS

None.

There being no further business, the meeting was adjourned at 8:03 p.m.