

JOHNSTOWN CITY COUNCIL MINUTES

Tuesday, November 10, 2015

City Council met in a stated session for the general transaction of business. Mayor Frank Janakovic called the meeting to order at 6:03 p.m. City Manager Carlos Gunby offered the invocation, and the Pledge of Allegiance was recited.

The following members of Council were present for roll call:

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

City Solicitor David Andrews and City Manager Carlos Gunby were also present.

Mayor Janakovic made a motion to revise the agenda to delete Bill No. 18 regarding the local service tax. He noted a public hearing will be held on Thursday, November 12, 2015, at 5:15 in Council Chambers followed by a special meeting at 5:30. The motion was seconded by Mr. Vitovich and passed by the following vote:

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

Nays: None (0).

APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the Minutes of the October 14, 2015 regular meeting. The motion was seconded by Mr. Johncola and passed by the following vote:

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

Nays: None (0).

COURTESY OF THE FLOOR

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council concerning local government. He requested Council to make the necessary changes to "make things better", including a "shakeup in the Redevelopment Authority". Mr. DeBartola noted that JRA stopped the opportunity for public housing in Moxham. JRA held up the Aspen deal and it "never happened". He will be applying for a position with the JRA in January and urged others to also apply.

Mr. DeBartola requested that the City adopt Senator Wozniak's nepotism bill to support fair and equal employment. With regard to the current local service tax issue before the City, Mr. DeBartola stated this is the only opportunity to get out of the Act 47 status.

Joseph Warhul, 44 Clover Street, Johnstown, addressed Council with regard to the local service tax. He noted that the agenda is to be posted three days prior to a meeting, especially with regard to raising taxes. He spoke to the issue of drugs and violence in his neighborhood. He suggested that a better job be done before the local service tax is raised. Mr. Warhul also asked Council to consider department cuts and code enforcement issues.

Charlene Stanton, 184 Sell Street, Johnstown, addressed Council with regard to a resolution proposed last August to borrow \$325,000 to pave a vacant lot on Washington Street. She suggested that the City should sell this property to the business community as a source of revenue. Ms. Stanton stated paving this lot "just makes no sense considering there are other options".

She discussed the lack of code enforcement and free passes. She also discussed a Barron Avenue property that has many violations. She suggested that the property be placed at the top of the codes priority list. Ms. Stanton noted she is looking forward to serving the City and representing the concerns of the people.

Jerry Ickes relinquished his time stating his topics for discussion had already been addressed.

SPECIAL TOPICS

Melissa Radavonic, President, Discover Downtown Johnstown Partnership, provided a history of the partnership. The partnership consists of a group of City businesses whose goal is to encourage people to shop, dine and explore downtown Johnstown. She stated some of their projects include the Scarecrow competition in Central Park, Fall Family Fun Day at the Point Stadium, and the annual Clean Sweep to clean the City and plant flowers in preparation for the summer tourism season. A successful new project called Taste and Tour was started two years ago, which gives the ticket buyer an opportunity to visit retail establishments.

Ms. Radavonic discussed the Christmas Parade and Lightup Night, which will be held on Friday, November 20, 2015, starting at 6:30 p.m. She noted the partnership purchased LED lights last year, which were placed along Main

Street. Ms. Radavonic also discussed an \$80,000 fundraiser for the purchase of a 36-foot animated Christmas tree for Central Park for Lightup Night.

Mayor Janakovic, on behalf of Council, thanked Ms. Radavonic and expressed his honor to serve with her on the partnership.

REPORT BY THE CITY MANAGER

Carlos Gunby, City Manager, wished all veterans a Happy Veterans Day and thanked them for their service. He invited everyone to attend the Veterans Day Parade, which will be held on Wednesday, November 11, 2015, at 4:00 p.m.

Mr. Gunby thanked all of the volunteers for the Halloween Parade. He recognized four Johnstown High School students who spearheaded efforts to receive a State Farm Learning Service Grant in the amount of \$67,650 to support a Kintsugi maker program.

The City Manager noted that two letters of intent have been submitted to the Army Corps of Engineers with regard to federal funding for feasibility studies for revitalization of the City's river basins.

Mr. Gunby invited everyone to attend a Vision 2025 meeting on Monday, November 16, 2015, at 5:30 p.m. at the First Lutheran Church on Vine Street to discuss community ideas.

He stated that on December 5, 2015, from 11:00 to 2:00 a youth summit will be held at the Bulldog Arena on Main Street to address challenges facing our youth.

On the November 22nd, 2015, Mr. Gunby, the Mayor and several Councilmembers attended an economic summit held at the Conference Center.

He also noted that Lightup Night will be held on Friday, November 20, 2015, with the parade starting at 6:30 p.m. The UPJ Lightup Night at the Park Avenue Playground has been scheduled for December 1, 2015.

Mr. Gunby reminded everyone of a public hearing, which will be held on Thursday, November 12, 2015, followed by a special meeting at 5:30 to discuss the LST proposal.

The official opening of the Haynes Street Bridge will be held on November 20, 2015, at 1:30 p.m.

Mr. Vitovich noted that Mr. Kanuch will soon contact Mr. Gunby to schedule a meeting with the Housing Authority.

Mr. Mickel made inquiry as to the revised date for the relocation of the skating rink at Roxbury Park. Mr. Gunby had discussed the matter with Mrs. Borkow, who indicated the relocation will be further delayed due to insufficient funds. Mr. Mickel stated Council was assured the funds were in place when permission was given to move it.

Mayor Janakovic asked Mr. Gunby to provide an update with regard to the vacant Washington Street lot. Mr. Gunby noted that currently there are no plans with regard to making any changes to that lot.

Mayor Janakovic noted that he, Mr. Gunby, and Representative Barbin will meet with local youth to discuss their continued involvement with community projects and staying in the area.

REPORT BY THE MAYOR

Frank Janakovic, Mayor, reported on his and Council members attendance at the Economic Summit. Congressman Rothfus spoke on the budget at the national level and Vision 2025. The Mayor and Mr. Gunby attended a municipal pension meeting at UPJ with Auditor General DePasquale and made comments with regard to the City's continuing pension fund issue, the sewer project, as well as the blight, crime, and drug problems.

Mr. Janakovic also congratulated the Greater Johnstown High School girls who received the State Farm grant.

The Mayor and City Manager continue to meet with Mr. Becker and Mr. Tucker at Conemaugh with regard to the Duke LifePoint issues. Mr. Janakovic noted tax monies from the facility continue to be held in escrow until the court determines the outcome of same.

Mayor Janakovic attended a post-Hockeyville meeting. He stressed the need for the momentum to be keep going throughout the City.

The Mayor continues to be involved with Discover Downtown, Chamber of Commerce, Vision committee meetings every month.

Mayor Janakovic expressed his disappointment with the small crowd that attended the opening game of the Tomahawks. He suggested that more people need to attend the games in order to keep a hockey team in Johnstown.

Vision 2025 had a standing-room-only crowd at a recent meeting held at the War Memorial. He also invited everyone to attend the general public Vision 2025 meetings if this City is to move forward.

REPORT BY THE CITY SOLICITOR

City Solicitor David Andrews reported that the owner of the Barron Avenue property, previously discussed by Ms. Stanton during Courtesy of the Floor, has been notified by registered mail that he has 30 days to rectify the situation or an action will be filed with the local magistrate in order to assure compliance.

REPORT BY THE CITY ENGINEER

Steve Sewalk referred Council members to a copy of his report while reviewing highlights of the sewer project. He noted that the Roxbury tie-ins continue.

The Oakhurst projects are approximately 100 and 90 percent completed. Letters have been sent to residents in that area.

All pipe and paving has been completed in the Woodvale/Prospect area except the New Street area, which will soon be completed.

Moxham Phase One is moving along. Continental Construction has completed roughly 28 percent of the pipe installation and will pave as much as possible before the winter season.

A public meeting was held on November 9, 2015, with regard to the Morrellville area. Letters have been sent to all residents of that area noting construction to begin in the December/January timeframe.

A grant was received for the Cambria City/Coopersdale/Minersville area, which is a huge positive for the City.

Mr. Sewalk stated Petrakas has the contract for the Woodvale and Oakhurst laterals starting at the end of November.

He noted that over 900 properties have been pressure tested throughout the City and inspections for downspout violations continue.

Bids for the repair of the Main Street East Parking Garage will be advertised in the February timeframe. The beam column repair at the Lincoln Street Garage should be completed by the end of the month.

Mr. Sewalk noted that awards for two flood mitigation grants will be announced in January.

Mrs. Mock requested an update on the Hornerstown Project. Mr. Sewalk explained that DEP will perform a final inspection to close out the project. He noted the flow monitoring testing was performed and letters will be sent out. Approximately ten percent of the addresses in that area have completed the testing. Mr. Gunby noted that funding is not available for the camera testing but available for full remediation of the system. Mr. Gunby discussed the funding guidelines for eligible residents, noting there is a 50 percent match component to the funding which is paid directly to the contractor.

Mr. Mickel inquired as to those residents who are not eligible for assistance and do not have the money for the project. Mr. Gunby noted that further funding opportunities are being pursued to assist the residents. Also if and when hospital funding becomes available, there will be opportunities to look at those monies.

Mayor Janakovic noted that a number of banks in the area are offering very low interest loans

REPORT ON PRIOR YEAR'S AUDIT FINDINGS

Bethany Perrachino reported that the work continues with auditors with regard to the audit findings.

COUNCIL COMMITTEE/NEIGHBORHOOD LIAISON REPORT

Mr. Vitovich had no report.

Mr. Vizza reported on his attendance at an amateur fight at the Bulldog Arena downtown.

Mrs. Mock reported on attending a training session with Chief Tony Kovacic and the fire department and expressed her appreciation for their jobs as firemen.

She noted the West End Improvement Group held a basket party on October 23, 2015, and raised funds for additional cameras on Strayer Street.

The Annual West End Christmas Parade and Tree Lightup Event will be held on Monday, December 7, 2015, at 6:00 p.m.

The John Gunter group in conjunction with Vision 2025 suggested that each neighborhood work together as well as independently. Mrs. Mock noted that the West End group rehabbed five blighted lots, which she stated can be done in other neighborhoods as well. Mrs. Mock offered suggestions to help establishing the groups. She also urged residents to get involved in crime watches in their neighborhoods. She further noted the Community Foundation works with neighborhood groups.

Mr. Johncola thanked the staff of the Public Works Department for their hard work. He also thanked the EADS group for their work in Prospect. He reported the Prospect Bridge will soon be open.

Mr. Mickel stated the Roxbury Civic Group has asked Renee Daly to attend their November meeting with regard to blight concerns on Franklin Street.

Mayor Janakovic noted it is those individuals on probation who work off their fines by doing community service and not those on a work release program.

COMMUNICATIONS

1. Planning Commission Minutes of October 7, 2015. Mr. Vitovich made a motion to approve. The motion was seconded by Mr. Johncola and passed by the following vote:

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

Nays: None (0).

Mr. Vitovich noted at the last Planning Commission meeting a discussion with regard to sections that need to be rezoned in order to make the City more business friendly. He stated workshops will be held in the future to further discuss the matter.

2. Citizen Code Complaints.

PETITIONS

Citizen Petitions were received with regard to the EADS Group.

ORDINANCES FOR FIRST READING

BILL NO. 24 of 2015, AN ORDINANCE VACATING UNOPENED ALLEY BETWEEN WESS STREET AND UNNAMED ALLEY AND BIRD ALLEY AND KNIPPLE AVENUE IN THE SEVENTEENTH WARD OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE.

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

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

Nays: None (0).

BILL NO. 25 of 2015, AN ORDINANCE ESTIMATING THE AMOUNT OF REVENUES TO BE RECEIVED BY THE CITY OF JOHNSTOWN FROM VARIOUS SOURCES AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES FOR THE OPERATIONS OF THE VARIOUS FUNDS, BUREAUS, DEPARTMENTS, THE PAYMENT OF DEBT SERVICE AND THE PENSION FUND OBLIGATIONS OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2016, INCLUDING THE FOLLOWING CITY OF JOHNSTOWN FUND SECTIONS, AND RESPECTIVE FUNDS "BUDGET EXHIBIT A DETAILS".

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

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

Nays: None (0).

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BILL NO. 26 OF 2015, AN ORDINANCE 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.

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

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola,
Mr. Mickel, Mrs. Mock (6).
Nays: None (0).

BILL NO. 27 OF 2015, AN ORDINANCE AUTHORIZING THE CITY MANAGER AND SOLICITOR TO EXECUTE ALL DOCUMENTS NECESSARY TO REFINANCE THE 2009 SERIES GENERAL OBLIGATION BONDS THROUGH CONVERSION TO A GENERAL OBLIGATION NOTE WITH FIRST NATIONAL BANK OF PA AT A RATE OF 2.08 PERCENT AND TO AWARD THE NOTE NOT IN EXCESS OF \$2,740,000.00.

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

Yeas: Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock,
Mr. Vitovich (6).
Nays: None (0).

BILL NO. 28 OF 2015, AN ORDINANCE AMENDING ORDINANCE NO. 4810, PASSED SEPTEMBER 9TH, 1998; ORDINANCE 4855, PASSED MAY 10, 2000; ORDINANCE 4987, PASSED APRIL 12, 2006; AND ORDINANCE 5083, PASSED APRIL 27, 2011, AS "CHAPTER 1480 VACANT STRUCTURE" TO REVISE THE GENERAL REQUIREMENTS FOR A VACANT STRUCTURE.

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

Yeas: Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock,
Mr. Vitovich, Mr. Vizza (6).
Nays: None (0).

BILL NO. 29 OF 2015, AN ORDINANCE AMENDING ORDINANCE NO. 4964, PASSED APRIL 13TH, 2005; ORDINANCE 5086, PASSED JUNE 22ND, 2001; AND ORDINANCE 5119, PASSED JANUARY 23RD, 2013, AS “CITY OF JOHNSTOWN ZONING ORDINANCE” TO REVISE THE ZONING REQUIREMENTS IN THE CITY OF JOHNSTOWN.

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

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

Nays: None (0).

ORDINANCES FOR FINAL READ

BILL NO. 18 OF 2015, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JOHNSTOWN, TITLE FOUR, CHAPTER 882, LOCAL SERVICE TAX, WITH RESPECT TO ESTABLISHING THE ANNUAL RATE FOR LOCAL SERVICES TAX AND THE EXEMPTIONS THERETO PURSUANT TO ACT 199 OF 2014, WHICH PROVIDES FOR A HIGHER RATE OF LOCAL SERVICES TAX FOR THOSE COMMUNITIES WHO HAVE BEEN DETERMINED TO BE DISTRESSED UNDER ACT 47.

Mayor Janakovic noted the above bill will not be voted on this evening. A special meeting will be held on Thursday, November 12, 2015, at 5:30 p.m. to further discuss the bill.

BILL NO. 22 OF 2015, AN ORDINANCE INCREASING THE INDEBTEDNESS OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, BY THE ISSUE OF GUARANTEED REVENUE NOTE IN THE MAXIMUM PRINCIPAL AMOUNT OF \$10,900,000.00 FOR PURPOSES OF REHABILITATING THE INNER CITY SANITARY SEWER SYSTEM.

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

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Yeas: Mr. Johncola, Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza,
Mayor Janakovic (6).
Nays: None (0).

BILL NO. 23 OF 2015, AN ORDINANCE AMENDING THE SIXTH AMENDED RECOVERY PLAN TO INCLUDE ACTION BY CITY COUNCIL AS RECOMMENDED BY THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, WHICH ALLOWS FOR HIGHER RATE OF LOCAL SERVICE TAX FOR COMMUNITIES THAT HAVE BEEN DETERMINED TO BE DISTRESSED UNDER ACT 47.

Mr. Gunby explained that in order for any action to occur on any taxing level within the recovery plan, the recovery plan must be amended to allow for that action to occur. This is amending the Sixth Amended Recovery Plan to include use of the increased LST if approved by Council.

Attorney Andrews explained that this will not obligate Council to vote for a local services tax. If Council would so elect to do so, Council would be permitted by the provisions of the recovery plan.

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

Yeas: Mr. Mickel, Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola (6).
Nays: None (0).

RESOLUTIONS

Resolution No. 9784

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH HOMER R. SLEEK AND SONS, INCORPORATED, 132 MOSSY LANE, JOHNSTOWN, PENNSYLVANIA, 15905, TO PROVIDE AND DELIVER TO THE CITY ANTI-SKID MATERIAL, TYPE 6 SLAG FOR THE CALENDAR YEAR 2015/2016.

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

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Yeas: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic,
Mr. Johncola, Mr. Mickel (6).
Nays: None (0).

Resolution No. 9785

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH HOMER R. SLEEK AND SONS, INCORPORATED, 132 MOSSY LANE, JOHNSTOWN, PENNSYLVANIA, 15905, TO PROVIDE AND DELIVER TO THE CITY ANTI-SKID MATERIAL, TYPE 1B LIMESTONE FOR THE CALENDAR YEAR 2015/2016.

Mrs. Mock 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, Mr. Mickel,
Mrs. Mock (6).
Nays: None (0).

Resolution No. 9786

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTACT WITH PENNDOT'S DEPARTMENT OF GENERAL SERVICES COSTARS PROGRAM, 555 WALNUT STREET, SIXTH FLOOR, HARRISBURG, PENNSYLVANIA, 17101-1914, TO PROVIDE AND DELIVER TO THE CITY ROCK SALT FOR THE CALENDAR YEAR JULY OF 2015 THROUGH JUNE OF 2016.

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

Yeas: Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mr. Mickel, Mrs. Mock,
Mr. Vitovich (6).
Nays: None (0).

Resolution No. 9787

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE 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.

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

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

Nays: None (0).

Resolution No. 9788

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

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

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

Nays: None (0).

Resolution No. 9789

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THAT THE CITY BORROW AND ENTER INTO A GENERAL OBLIGATION LOAN FROM FIRST NATIONAL BANK OF PENNSYLVANIA IN AN AMOUNT NOT TO EXCEED \$2,740,000.00 PURSUANT TO THE TERMS OF A LOAN COMMITMENT DATED OCTOBER 5, 2015.

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

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

Nays: None (0).

OLD BUSINESS

Land Bank Status.

Mr. Gunby stated that the City will be entering into a program and that the expert from Pittsburgh will be assisting.

NEW BUSINESS

None.

There being no further business, the meeting was adjourned at 7:13 p.m.