

JOHNSTOWN CITY COUNCIL MINUTES
Wednesday, May 11, 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. Pastor Bruce Griffith offered the invocation, and the Pledge of Allegiance was recited.

Mayor Janakovic noted an Executive Session was held prior to the meeting with officials and personnel from Act 47 and DCED.

The following members of Council were present for roll call:

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

Absent: Mr. Johncola (1).

City Solicitor David Andrews and City Manager Melissa Komar were also present.

APPROVAL OF MINUTES

Mrs. Mock made a motion to approve the April 11, 2016 special meeting minutes.
The motion was seconded by Mr. Vitovich and passed by the following vote:

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

Nays: None (0).

Mrs. Stanton was present (1).

Mr. Vitovich made a motion to approve the April 12, 2016 special meeting minutes.
The motion was seconded by Mrs. Mock and passed by the following vote:

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

Nays: None (0).

Mr. Williams was present (1).

COURTESY OF THE FLOOR

John Swanson, 544 Coleman Avenue, Johnstown, Vice President, United Steelworkers Local 2632, and on behalf of Amy Conahan, coordinator for PA Fair Trade Coalition, asked Council to consider passing a resolution opposing the passage of the Trans Pacific Partnership (TPP). He referred to the

resolution on the agenda and discussed the trade movement involving 12 countries around the world. Mr. Swanson provided an additional explanation of the TPP.

Attorney Andrews explained that courtesy of the floor is for agenda items only.

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council regarding consolidation. He asked who would want to "deal with the nonsense that has become the norm" and stated that until Council starts acting like representatives of the City, no municipality will consider joining the City to bring the region together.

Mr. DeBartola referred to Mr. Williams and Mrs. Stanton who he stated place an agenda item at each Council meeting to dissolve the City's contract with the EADS Group and also try to dissolve the Housing Authority.

Mr. DeBartola was asked to restrict his discussion to consolidation.

Mr. DeBartola encouraged Council members to vote against consolidation until Council is "unified" in moving Johnstown forward.

Paul Rinker, 420 Vine Street, Apartment 2308, Johnstown, addressed Council with regard to consolidation. He reminded Council about Randy Whittle and Dr. John Aubrey, who were both also interested in consolidation. Mr. Rinker stated that both Knoxville, Tennessee, and Jacksonville, Florida, consolidated with their surrounding areas and are now "booming". Mr. Rinker urged the City to consider consolidation.

Homer Mattes, 160 Milford Street, Johnstown, addressed Council with regard to the qualifications of the City Manager position. He noted his understanding of the City Charter is "this job must be advertised to get the best qualified person for the job."

Andrea Ryan, 190 Derby Street, Johnstown, addressed Council with regard to the City Manager position. Ms. Ryan stated the nature of this position requires "a great deal of expertise and educational background". She indicated that the City really needs a qualified and experienced individual, and she further indicated "that's really not Melissa Komar". Ms. Ryan also stated the salary offered is

just too high. She asked Council to seek candidates with experience in helping a city to get out of distress.

REPORT BY THE CITY MANAGER

Melissa Komar, City Manager, reported that an arrest has been made in connection with the West End arson investigations. She indicated two new officers will soon be hired. Ms. Komar stated the Johnstown Police Department attended the annual peace march, which she noted was a positive event for the City.

Ms. Komar stated the new pumper will soon be in service at the Ash Street Station. The turnout gear, which was grant funded, was delivered and distributed. She noted the fire department will "team up" with Codes to board and placard all vacant structures according to the fire code.

The Finance Department has commenced accepting credit cards both online and in person. Revenue is being collected through the Turnkey Taxes. Ms. Komar stated that departmental procedures have been updated.

She indicated that Public Works assisted in the Moxham and Kernville cleanups and hauled over 7 1/2 tons of garbage under the "Keep America Beautiful" program.

The following four grants were received: \$75,000 for accessibility in resident units; \$50,000 for improvement of businesses; \$100,000 for basic grants for Economic Development; and \$56,250 for industrial site reuse program for the Dollar General Store on Main Street.

Ms. Komar urged all to attend the downtown cleanup to be held on Sunday, May 22, 2016, from 11:00 to 4:00.

Mr. Williams requested an update regarding Mr. Fisher's situation on Hill Place. He inquired as to any engineering studies or reports that another agency may be responsible for the conditions. He suggested compiling cost estimates to resolve the problem. Mayor Janakovic indicated Mr. Fisher was not happy with the amounts of two appraisals that were done. Mr. Vizza indicated that former Public Works Director estimated \$1.4 million for the project. Mr. Williams wanted the public to know that the matter was being addressed.

Mrs. Stanton discussed a resident who reported on the poor road conditions on Honan Avenue. Mrs. Komar indicated that Public Works is aware of the problem. She indicated a telephone call was returned to the resident, but the number

provided was incorrect. An email was sent confirming that the matter is being addressed.

Mrs. Stanton discussed incomplete certificates of compliance that she and Mr. Williams reviewed. She requested that the boxes of certificates be brought up to date. There was further discussion regarding the matter.

REPORT BY THE MAYOR

Frank Janakovic, Mayor, reported on his attendance at the peace walk. He offered praise to Reverend Sylvia King for organizing the event.

Mayor Janakovic presented a proclamation for military spouses at the Cambria County War Memorial.

The Mayor noted his attendance at the JARI luncheon at the Pasquerilla Conference Center. He noted JARI's work on new community programs.

He also noted his attendance at the Vision committee meeting and praised Mrs. Komar and Ms. Daly for working with the group. The Mayor noted that \$250,000 has been awarded to review the waterways, river walls, the rivers, and streams in Johnstown.

Mayor Janakovic noted \$6 million in sanitary system upgrades pending with the U.S. Army Corps of Engineers; \$100,000 for environmental improvements; and money for a DCNR pending street grant. He thanked the City Manager and departments for doing "one heck of a job".

Mrs. Mock inquired whether money was available to dredge the river in order to remove trees. Mayor Janakovic indicated that hopefully by fall the machines will be able to get down into the river to perform that task.

Mayor Janakovic indicated that United Way gave away over \$1 million to nonprofit organizations to benefit our kids and the community.

He commended the group who cleaned up Clinton Street.

A proclamation will be given to the Hibernians, which is celebrating its 100 year anniversary. A proclamation will also be given to Ed Cernic, Sr., who was nominated and selected as the West End Lion of the Year.

The Mayor indicated the Johnstown Nightlife Tour is a project underway to encourage young people to visit the downtown area.

REPORT BY THE CITY SOLICITOR

David Andrews, Esquire, City Solicitor, reported that a pretrial conference was held on the Duke Lifepoint matter. He noted problems with the appraisals as some of their facilities are leased facilities. He indicated the Judge has put the matter on a timeline to move the process along.

Mrs. Stanton requested an update on a meeting to be scheduled with the Johnstown Housing Authority. She inquired if background checks were being done on potential renters in lieu of the recent drug crimes. Mr. Vitovich further discussed background checks and indicated that Chief Foust and the police department are well aware of the matter and are "going above and beyond to try to put a lid on this". Mrs. Stanton indicated Council needs to schedule a meeting with JHA at a time that the public can also attend.

Mr. Williams requested that Attorney Andrews contact JHA's solicitor to set up the meeting. Attorney Andrews will write to Mr. Leventry, the Solicitor, to requested their board attend a scheduled meeting.

Mrs. Stanton also requested a meeting be scheduled with the Johnstown Redevelopment Authority regarding the sewage project. Attorney Andrews will write to JRA Solicitor Barbin and request that board attend a scheduled meeting.

Mrs. Stanton inquired as to a vacant property at 605-607 Franklin Street owned by the County Redevelopment Authority. Attorney Andrews indicated that there has been no further response. He explained that Council may have to proceed with litigation if necessary. He will write another letter to that authority requesting a response within 20 days.

Mr. Williams noted his understanding that D&M Ventures is going to "walk away" from the Prospect and Kernville projects and that six homes have been remodeled and will be contacted by EADS in the future with regard to pressure testing of those homes.

Mr. Williams requested a motion from Council to authorize the City Solicitor to take all action necessary against D&M and their principal to protect the City and Prospect's interests regarding the sewage upgrade matter.

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

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

Nays: None (0).

REPORT ON PRIOR YEAR'S AUDIT FINDINGS

No Report.

COUNCIL COMMITTEE/NEIGHBORHOOD LIAISON REPORT

Mr. Vitovich reported that Public Works repaired a broken storm sewer line on South Street, trimmed trees on Washington Street and Main Street, cleaned up debris piles on Washington Street and Steele Street, demolished a garage on Oak Street and a collapsed house on Steele Street, cleaned gutters and inlets on Millcreek Road, cleaned out the Main Street East Garage, and repaired a hole on Main Street. Neighborhoods were cleaned up, and there was free landfill dumping the week of May 2nd, 2016, 7.49 pounds.

Mr. Vitovich further reported that Public Works hauled number four stone up to Oakhurst, picked up yard waste city wide and cleaned up playgrounds, hauled mulch to the Broad Street and Wood Street Playgrounds, and repaired backboards at Roxbury Park. Mr. Vitovich indicated that the City received \$440 for street sweeper use in Dale Borough; \$440 from Franklin Borough; and \$1,100 from East Conemaugh. Public Works boarded up and cleaned abandoned properties, pumped out in front of the motel on Route 56 and cleaned out a total of 58 inlets on Oak Street, Delaware, Charles and Russell, Linden, Frederick, Charles and Cypress, Donna Drive and Baumer Street and under the expressway. Also, City Hall Room 105 was painted.

Mr. Vizza stated that the meeting with the Act 47 team was informative and provided good ideas and options.

Mr. Williams stated memos sent to Council regarding budget and other funding issues have been resolved with Mrs. Komar and Mr. Andrews. He further stated that general fund issues need to be addressed.

Attorney Andrews explained that a special meeting will be held concerning the budget amendments.

Mrs. Mock reported the Roxbury Civic Association will hold a spaghetti dinner August 27, 2016, at St. Paul's United Methodist Church from 4:00 p.m. to 7:00 p.m. Cleanup at Roxbury Park is scheduled for Saturday, May 23, 2016, at 9:00 a.m. She indicated the group will work in collaboration with the Westmont Girl Scout Troop on May 21, 2016, to paint the recycle cans at the park.

Mrs. Mock discussed issues with the cameras in the restroom area. She noted that two Johnstown Police Department officers will be dedicated to coordinate the cameras at Roxbury and other cameras in other city neighborhoods. Mrs. Mock stated the Roxbury Civic Group will be working with Public Works on repairs to the backstop project at Roxbury Park. She noted a summary of blighted homes in the neighborhood was recently submitted to Mrs. Komar for review.

Mrs. Mock indicated that the West End Improvement Group Neighborhood Cleanup is scheduled for Saturday, May 21, 2016, from 9:00 a.m. to 12:00 p.m., with lunch to follow.

Three more planters/raised beds were received for the Community Gardens. Planting is scheduled for the end of May with many of the plants coming from the Sandylvale Association Greenhouse. Flower boxes will also be planted during May.

Donations to the West End Improvement Group were received from a family to honor their mother who recently passed away. Mrs. Mock noted a dedication ceremony will be held in the future.

A small group spent several hours this past Saturday cleaning up a section of Kernville.

Mrs. Stanton reported on attending the same Roxbury Civic Group meeting that Mrs. Mock previously discussed. Mrs. Stanton noted discussion regarding the safety hazards at the Roxbury Hockey Rink. Mrs. Komar indicated the project has been halted, but she will pass on the safety concerns.

Mrs. Stanton noted the project is being performed under the supervision of the Roxbury Band Shell Preservation Society and Solicitor Burns. There was further discussion with regard to the matter.

Mrs. Stanton noted lighting concerns from Kernville residents in the area of the Somerset Street Playground. She requested that Council authorize

installation of a streetlight in the area for the safety of the residents. There was discussion regarding the matter.

COMMUNICATIONS

1. April 6, 2016 Planning Commission Minutes.
2. April 20, 2016 from Deborah Grass, Act 47 team coordinator.
3. April 22, 2016 from Jack Williams and Charlene Stanton re: position of Interim City Manager.
4. April 27, 2016 from Jack Williams and Charlene Stanton re: salary Interim City Manager.
5. April 27, 2016 from John DeBartola and Dr. Joseph Taranto re: Sunshine Act violations.
6. May 2, 2016 from Jack Williams re: Codification of City Ordinances.
7. May 2, 2016 from Jack Williams re: March 29 communication Section 215 request.
8. May 3, 2016 from Charlene Stanton re: DEP inspection report - Sheridan Street.
9. May 3, 2016 code complaints from Dennis Callahan.
10. May 3, 2016 code complaints from Charlene Stanton.
11. May 3, 2016 communications from Joe Warhul.
12. May 2 and April 22 code complaints from Jack Williams.
13. May 2, 2016 from Mayor Janakovic re: Arbor Day Foundation.

PETITIONS

Citizen Petitions to terminate EADS Group.

ORDINANCE FOR FINAL READ

BILL NO. 15 OF 2016, AN ORDINANCE AMENDING ORDINANCE 4654, THE ADMINISTRATIVE CODE OF THE CITY OF JOHNSTOWN, BY AMENDING SECTION 402 AS SHOWN BELOW:

THE CITY MANAGER SHALL BE HIRED ON THE BASIS OF DEMONSTRATED PROFESSIONAL COMPETENCY AND EDUCATION IN PUBLIC MANAGEMENT WHICH SHALL INCLUDE BUT NOT BE LIMITED TO A BACHELOR'S DEGREE FROM AN INSTITUTION OF HIGHER LEARNING (MASTER'S DEGREE PREFERRED) AND FIVE

YEARS OF PROGRESSIVE RESPONSIBLE EXPERIENCE IN LOCAL GOVERNMENT, MANAGEMENT AND ADMINISTRATION.

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, Mrs. Mock (4).
Nays: Mrs. Stanton, Mr. Williams (2).

BILL NO. 18 OF 2016, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE FY 2016 CITY OF JOHNSTOWN BUDGET TO INCLUDE THE SEWAGE LATERAL ASSISTANCE PROGRAM AND DEMOLITION IN UDAG.

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

It was noted the \$50,000 was included in the 2015 budget but not transferred to the 2016 budget. There are currently nine applicants preapproved for the funding at \$1,000 per home. There was further discussion on the matter.

The motion passed by the following vote:

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

ORDINANCES FOR FIRST READ

BILL NO. 19 OF 2016 AMENDING ORDINANCE NO. 5193 PASSED DECEMBER 22ND, 2015 TITLED: 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, AS FOLLOWS:

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

There was discussion with regard to the ordinance.

The motion failed by the following vote:

Wednesday, May 11, 2016
Stated Meeting, continued

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

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

Attorney Andrews explained a resolution passed last meeting and another ordinance can address her salary, but until then, she will continue to be paid.

RESOLUTIONS

Resolution No. 9845

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
ACCEPTING THE CODIFICATIONS OF ORDINANCES UPDATED FOR
THE PERIOD OF NOVEMBER 2015 THROUGH DECEMBER 2015.

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

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

Nays: Mayor Janakovic, Mrs. Mock, Mr. Vitovich (3).

Mrs. Mock made a motion to put back on the table. The motion was seconded by Mr. Vitovich.

Mr. Williams indicated if the resolution is approved, the codified ordinances would not be accurate. Mrs. Komar explained the portion from November 2015 through December 2015 would need to be codified, which is the purpose of the resolution. There was further discussion on the matter. Mr. Williams requested copies of all ordinances codified in 2015.

The motion passed by the following vote:

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

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

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING THE CITY
SOLICITOR AND CITY MANAGER TO GIVE THIRTY (30) DAYS
NOTICE TO "THE EADS GROUP" OF THE CITY OF JOHNSTOWN'S
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).

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

Mrs. Stanton discussed the neighborhood concerns on Barron Avenue. Mrs. Stanton paraphrased an EADS inspector by stating "we don't want anybody to make waves, because when you make waves, it's going to cost you more money and it's going to cost the City more money." There was further discussion with reference to EADS addressing concerns brought to its attention.

Attorney Andrews will share all correspondence with Mrs. Stanton concerning the Harris Boyer box trailer matter.

The motion failed by the following vote:

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

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

Resolution No. 9846

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING THAT "REQUEST FOR PROPOSALS" BE ADVERTISED AND REQUESTING THE PENNSYLVANIA'S DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR ASSISTANCE IN PREPARATION AND DEVELOPING SAID "REQUEST FOR PROPOSALS" FOR THE EXCLUSIVE RIGHTS FOR EVENT PROMOTION, SCHEDULING AND MANAGEMENT OF THE POINT STADIUM FACILITIES EFFECTIVE JANUARY 1, 2017.

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

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

Nays: None (0).

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.

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

Mayor Janakovic expressed his desire for expansion beyond just other municipalities and that Council should consider the purchase of service agreements and sharing equipment.

Mr. Williams discussed individuals attending Council meetings and being critical of the function of City government. He stated this consolidation option is for the municipalities to consider.

The motion failed by the following vote:

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

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

Mr. Williams noted for the record that Council violated the Sunshine Law by taking Executive Session to discuss consolidation, which is not an Executive Session matter.

Attorney Andrews explained a provision and case law that affects information given to the governmental body and that an information-giving session is a proper Executive Session. The information was given by the representatives of DCED and the recovery team and would qualify it as an Executive Session.

Mr. Williams called the Executive Session a "secret meeting" and warned that "consolidation was talked about in the back room, but they didn't want you to hear it."

Mayor Janakovic stated that the matter can be further discussed after the meeting.

Resolution No. 9847

Wednesday, May 11, 2016
Stated Meeting, continued

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH CONTINENTAL CONSTRUCTION, INCORPORATED, AWARDING CONTRACT 2015-04 FOR THE CONSTRUCTION OF THE HORROCKS STREET SANITARY SEWER PROJECT.

Mr. Vizza 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. Williams, Mrs. Mock (5).

Nays: Mrs. Stanton (1).

Resolution No. 9848

A RESOLUTION OPPOSING THE TRANS-PACIFIC PARTNERSHIP WHEREAS THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) AND SIMILAR TRADE POLICIES ARE DIRECTLY RESPONSIBLE FOR APPROXIMATELY 3.5 MILLION LOST JOBS IN THE UNITED STATES, INCREASING UNEMPLOYMENT WHILE ALSO REDUCING TAX REVENUE FOR SCHOOLS, INFRASTRUCTURE AND OTHER CRITICAL PUBLIC SERVICES AND DRIVING DOWN THE WAGES AND BENEFITS OF THE JOBS THAT ARE LEFT.

Mr. Vitovich made a motion to table. There was no second. The motion failed.

Attorney Andrews noted that he was not consulted on this resolution.

Mayor Janakovic questioned the City's obligation with regard to this resolution. There was further discussion on the matter.

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

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

Nays: None (0).

Mr. Williams exited the meeting at 7:30 p.m.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Ryan Kieta, 245 Market Street, Johnstown and 848 West Middle Street, Hanover, addressed Council with regard to Vision 2025. He updated Council on the Vision group's future plans. He noted the program have exceeded all of his expectations and the expectations of the people involved in the process. Mr. Kieta noted that there are 25 community development projects. He further noted that "by the end of summer he expects that number to double." He discussed the types of current projects.

Mr. Kieta informed Council members that a Vision 25 progress party will be held Monday, May 23, 2016, at 5:30 p.m. at Aces in Cambria City. Updates and announcements will be provided at that gathering.

Mr. Kieta addressed Mrs. Stanton's concerns with regard to Mr. Warhul being banned from the group's Facebook site.

Barry Black, 405 Cooper Avenue, Johnstown, addressed Council regarding the sewer rates. He questioned payments being made to both Pittsburgh and Johnstown. He stated elderly people will soon not be able to pay their bills with just their Social Security checks.

Mr. Black questioned the surrounding boroughs and Mrs. Komar's ability to serve as city manager where municipalities such as Windber and South Fork referred to her as "A-1". He discussed money spent on the Point Stadium as opposed to sewage updates, which it was earmarked for. Mr. Black referred to a "sludge" alley in Coopersdale that needs cleaned up. Mr. Black noted, "It's time that Council took time to listen to the issues that the people of Johnstown are bringing up." He also discussed grants being obtained by outlying municipalities.

Mayor Janakovic referred Mr. Black to five or six grants earlier discussed. Mr. Janakovic also referred Mr. Black to the Johnstown Redevelopment Authority concerning sewage billing matters.

Mrs. Stanton noted that she and Mr. Williams voted against the \$55 sewage rate increase.

SHORT RECESS TAKEN

PUBLIC COMMENT ON NON-AGENDA ITEMS (CONT.)

John DeBartola, 1197 Bedford Street, Johnstown, addressed Council with regard to local government. He referred his communication submitted on the Sunshine Act violations. He discussed Mr. Williams leaving the meeting before its conclusion. Mr. DeBartola requested a response from Attorney Andrews with regard to the Sunshine Act violation. Attorney Andrews stated there was no violation of the Sunshine Act. He explained the Sunshine Law requires public comment on any agenda item before being voted on. Public comment on general matters subsequently in effect was done by the referendum wherein citizens of Johnstown approved ten minutes for agenda item speakers and five minutes for non-agenda item speakers.

Ronald Shawley, Johnstown, discussed the All American City Award that the City received in 1972. He noted the City government in place at that time. Mr. Shawley suggested naming a volunteer City chaplain. Mr. Shawley suggested recruiting other American businesses. He expressed his desire for Johnstown to become an All American City once again.

Mark Pasquerilla, 945 Menoher Boulevard and local businessman, addressed Council. He stated that he "does not like speaking to empty chairs" and that "one Councilman has a habit of missing confrontational moments." Mr. Pasquerilla discussed the DEP mandated sewage project. He stated the City taxpayers should demand that Council accept all grants from the PA DEP to complete the sewage infrastructure project. Mr. Pasquerilla noted that Council has "failed to offer an explanation to the taxpayers" on the matter.

Mr. Pasquerilla indicated that he "personally has no trust or confidence in Councilpersons Williams and Stanton." He discussed the EADS group and its federal investigation. Mr. Pasquerilla suggested that Mr. Williams and Mrs. Stanton should "have the courage to file a report to the proper authority if they know of any wrongdoing by EADS."

Reverend Richard Williams, 752 Menoher Boulevard, Johnstown, offered his condolences to Mr. Vizza on the recent passing of his mother. Mr. Williams discussed Kernville's improvements over the years. He discussed intimidation and a letter from Mr. Janakovic with regard to certain issues, including freedom of speech.

Mayor Janakovic indicated the letter matter is a private issue that should be taken up with the organization and not with Mr. Janakovic as the Mayor.

Jerry Ickes, 133 Falcon Drive, Johnstown, addressed Council with regard to the shooting of an animal by a police officer or animal control officer. Mr. Ickes suggested that the City residents donate money to the police department for the purchase of a tranquilizer gun to humanely tranquilize the animal, instead of shooting it. He provided information to the Chief for his review. Copies were made for Council members.

NEW BUSINESS

None.

OLD BUSINESS

Mr. Vizza noted that on behalf of the Mayor, he was happy to attend the 24th anniversary of Dr. Ralph Johns, Pastor, St. James Missionary Baptist Church on Sunday, April 24, 2016.

Mr. Vizza thanked Mr. Joe Warhul and the volunteers who helped clean up the James Mayer Trail and painted murals on the walls, which Mr. Vizza indicated has "enhanced the view of the trail and surrounding area."

Mr. Vizza noted that on behalf of the Mayor, he presented a proclamation to Donna Crowe, National Day of Prayer, on Thursday, May 5, 2016, at Franklin Street United Methodist Church.

There being no further business, the meeting was adjourned at 8:13 p.m.