

JOHNSTOWN CITY COUNCIL
CITY COUNCIL AGENDA
ANTHONY C. TRUSCELLO COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 14, 2018
WORKSHOP 5:30 PM – ABD CONSTRUCTION
REGULAR MEETING – 6:00 PM

*LEGEND: - Document forwarded with agenda

INVOCATION;

PLEDGE OF ALLEGIANCE;

OATH OF OFFICE;

ROLL CALL;

APPROVAL OF MINUTES;

1. December 13, 2017 Public Hearing
2. December 13, 2017 Regular Meeting
3. January 2, 2018 Reorganization Meeting
4. January 29, 2018 Special Meeting

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION;

PUBLIC COMMENT – AGENDA ITEMS ONLY (Limit 10 minutes)

REPORTS;

- a. CITY MANAGER
- b. MAYOR
- c. CITY SOLICITOR
- d. CITY ENGINEER

COUNCIL UPDATES;

1. Planning Commission Minutes of January 3, 2018
2. February 6, 2018 letter from George Hayfield
3. February 5, 2018 letter from Jack Williams re: Unbalanced 2018 City Operating Budget, Ord. 5245. (December 13, 2017)

ORDINANCES FOR FINAL READ;

1. BILL NO. 1 OF 2018 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES.
2. BILL NO. 2 OF 2018 AN ORDINANCE PROVIDING FOR THE SALE OF REAL PROPERTY NOT NEEDED FOR PUBLIC USE BY THE CITY OF JOHNSTOWN.
3. BILL NO. 3 OF 2018 AN ORDINANCE DIRECTING THE CAMBRIA COUNTY BOARD OF ELECTIONS TO PLACE ON THE NOVEMBER, 2018 GENERAL ELECTION BALLOT, FOR THE CITY OF JOHNSTOWN, THE BALLOT REFERENDUM QUESTION FOR CONSIDERATION BY THE REGISTERED VOTERS OF THE CITY OF JOHNSTOWN, WHICH IF RECEIVING A MAJORITY OF THE VOTES CAST, ESTABLISHES A GOVERNMENTAL STUDY COMMISSION, AND FURTHER THE ELECTION OF SEVEN (7) GOVERNMENTAL STUDY COMMISSIONERS DURING THE NOVEMBER, 2018 GENERAL ELECTION, PURSUANT TO THE COMMONWEALTH OF PENNSYLVANIA 53 Pa. C.S.CHAPTERS 29 (Home Rule), 30 (Optional Plans) & 31 (Optional Plans) Home Rule Charter and Optional Plans Law (**Tabled 1-2-18**)

ORDINANCES FOR FIRST READ;

1. BILL NO. 4 OF 2018 AN ORDINANCE AMENDING ORDINANCE 5210, TITLED: AN ORDINANCE 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, PASSED FINALLY ON OCTOBER 27, 1993 AND AS AMENDED BY ORDINANCE NOS. 4654,4693, 4731, 4894, 4880, 4902, 4908, 4991, 5015, 5024, 5034, 5042, 5055. 5058, 5069, 5177, 5194, AND 5199, BY FURTHER AMENDING CERTAIN SECTIONS OF ARTICLE II – ELECTED OFFICIALS- COUNCIL ORGANIZATION AND PROCEDURES AND ARTICLE IV –CITY MANAGER TO PROVIDE UPDATED PROCEDURES AND IMPROVE EFFICIENCY IN CONDUCTING CITY BUSINESS.*

2. BILL NO. 5 OF 2018 AN ORDINANCE AMENDING ORDINANCE NO. 4654 PASSED FINALLY IN OCTOBER 27, 1993 TITLED; AN ORDINANCE 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 THEVOTERS ON MAY 18, 1993, AND AS FURTHER AMENDED BY Ordinance Nos. 4693, 4731, 4880, 4894, 4902, 4908, 4991, 5015, 5024, 5127, 5034, 5042, 5055, 5058, 5069, 5177) May 19, 2015 Voter Referendum and Ordinance No. 5194, 5196, 5199, 5210, 5229 and 5231) AND BY FURTHER AMENDING SECTION 204 TITLED COUNCIL MEETING AGENDA TO ADD UNDER REPORTS **Council Committee Reports**.
3. BILL NO. 6 OF 2018 AN ORDINANCE ADOPTING AND RATIFYING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN THE COMMONWEALTH OF PENNSYLVANIA, OFFICE OF ATTORNEY GENERAL, BUREAU OF NARCOTICS INVESTIGATION AND DRUG CONTROL, AND THE CITY OF JOHNSTOWN PROVIDING FOR PARTICIPATION IN THE MUNICIPAL DRUG TASK FORCE PROGRAM ESTABLISHED BY THE ATTORNEY GENERAL'S OFFICE THROUGHOUT PENNSYLVANIA TO COORDINATE NARCOTICS INVESTIGATIONS, ENFORCEMENT AND PROSECUTION ACTIVITIES. *
4. BILL NO. 7 OF 2018 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5245 PASSED FINALLY ON DECEMBER 13, 2017 CITY OF JOHNSTOWN BUDGET TO AMEND THE 2018 BUDGET TO PROPERLY ALLOCATE GRANT REVENUE AND EXPENSES RELATING TO THE BROAD STREET SEWER PROJECT AND SHPO HISTORICAL SURVEY, TO ALLOCATE POLICE SALARIES AND POLICE PREMIUM PAY DUE TO CHANGE IN CONTRACT, TO ADJUST FOR THE EXECUTIVE SECRETARY/CITY CLERK POSITION IN THE APPROPRIATE DEPARTMENT, TO REALIZE THE SHORTFALL OF REVENUE FROM THE RECREATION FUND, AND TO REALLOCATE FUNDS TO REFLECT LACK OF RECIEPT OF THE 2018 ECONOMIC DEVELOPMENT ASSITANCE GRANT.*
5. BILL NO. 8 OF 2018 AN ORDINANCE AMENDING ORDINANCE NO. 5245, PASSED FINALLY IN COUNCIL ON DECEMBER 13, 2017 TITLED: 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 VARIOUS FUNDS, BUREAUS, DEPAARTMENTS, AND THE PAYMENT OF DEBT SERVICE AND PENSION FUND OBLIGATIONS OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2018, INCLUDING THE FOLLOWING CITY OF JOHNSTOWN FUND SECTIONS, AND

MORE SPECIFICALLY, “GENBERAL FUND BUDGET EXHIBIT A DETAILS”. TO CORRECT ERRORS AND OMISSIONS AS ADOPTED BY ORDINANCE NO. 5245, IN AN UNBALANCED AMOUNT OF (-\$332,963)*

6. BILL NO. 9 OF 2018 AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5246 PASSED FINALLY ON DECEMBER 13, 2017 CITY OF JOHNSTOWN 2018 WAGE AND SALARY ORDINANCE TO AMEND THE 2018 WAGE AND SALARY ORDINANCE TO BE PAID ALL ELECTED OFFICIALS AND EMPLOYEES OF THE VARIOUS DEPARTMENTS AND BUREAUS OF THE CITY OF JOHNSTOWN FOR THE CALENDAR YEAR WITH AN EFFECTIVE DATE THE DAY AFTER FINAL APPROVAL OF CITY COUNCIL*
7. BILL NO. 10 OF 2018 AN ORDINANCE AMENDING ORDINANCE NO. 5246, PASSED FINALLY ON DECEMBER 13, 2017 TITLED: 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, 2018, CORRECTING ERRORS AND OMISSIONS*
8. BILL NO. 11 OF 2018 AN ORDINANCE AMENDING ORDINANCE NO. 4530, PASSED FINALLY ON APRIL 11, 1990, AND CODIFIED IN THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN IN CHAPTER 646 TITLED MINORS, AND MORE SPECIFICALLY, SUBSECTION 646.01 CURFEW (A) LOITERING PROHIBITED.*
9. BILL NO. 12 OF 2018 AN ORDINANCE AMENDING ORDINANCE NO. 5246, PASSED FINALLY IN COUNCIL ON DECEMBER 13, 2017, TITLED: 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, 2018, TO DELETE THE POSITION OF RECORD RETENTION CLERK, AS BEING IN CONFLICT WITH THE STATUTORY PROVISIONS WITH THE HOME RULE CHARTER, ADMINISTRATIVE CODE AND THIRD CLASS CITY FOR THE DUTIES AND RESPONSIBILITIES OF THE POSITION OF CITY CLERK*

RESOLUTIONS;

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE CITY OF

JOHNSTOWN'S DEPT OF COMMUNITY & ECONOMIC DEVELOPMENT- CODE ENFORCEMENT TO CONDUCT A CITY WIDE (ON SITE INVENTORY) OF ANY AND ALL VACANT PROPERTIES, (RESIDENTIAL AND COMMERCIAL), INCLUDING BY CITY WARDS, STREET NUMBERS, STREET NAMES, AND FURTHER TO INCLUDE VERIFICATION AS TO ANY EXISTING CONNECTIONS TO THE CITY OF JOHNSTOWN INNER CITY SEWER COLLECTION LINES REMAINING CONNECTED AND/OR DISCONNECTED, AND CAPPED PREVENTING CONTINUED COLLECTION OF SEWAGE, and TO SUBMIT A WRITTEN REPORT TO CITY COUNCIL ON/OR BEFORE MARCH 1, 2018. (Tabled 1-2-18)

2. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN AN AGREEMENT WITH ITS, LLC REGARDING REPAYMENT OF AN ENTERPRISE ZONE LOAN AGREEMENT WITH THE CITY OF JOHNSTOWN.*

3. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN DOCUMENTS TO ACCEPT 2017 GRANT FUNDING AWARD FROM THE COMMONWEALTH OF PENNSYLVANIA.*

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN ACCEPTING THE BID PROPOSAL FOR REAL PROPERTY OWNED BY THE CITY OF JOHNSTOWN.*

5. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN AN AGREEMENT WITH ABD CONSTRUCTION SERVICES LLC TO PROVIDE BUILDING CODE COMPLIANCE SERVICES TO THE CITY OF JOHNSTOWN BEGINNING JANUARY 1, 2018 THROUGH DECEMBER 31, 2020 IN ORDER TO REVIEW BUILDING PERMIT APPLICATIONS AND ISSUE STATE UCC PERMITS.*

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN A GRANT AGREEMENT FOR A PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT KEYSTONE COMMUNITIES PROGRAM GRANT IN THE AMOUNT OF \$400,000.00 TO BE USED FOR PROJECTS

SUCH AS CONSTRUCTION, INFRASTRUCTURE, AND ADMINISTRATIVE COSTS ASSOCIATED WITH THE FAÇADE AND SIDEWALK RENOVATION PROJECT AS CONTRACT NO. C000066886 AND FURTHER AUTHORIZING THE CITY MANAGER TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME.*

7. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN AN AGREEMENT EXTENSION FOR THE PROPOSAL SUBMITTED BY RDM-JOHNSTOWN, LLC TO PROVIDE BILLING AND COLLECTION SERVICES OF THE CITY OF JOHNSTOWN SEWER RENTAL FEES. *
8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN A CONTRACT WITH ROARING FORK EXCAVATING LLC., IN THE AMOUNT OF \$45,915.75 FOR CONTRACT #2018-05, CDBG STRUCUTRE DEMOLITION PROGRAM TO DEMOLISH SIX (6) STRUCTURES THROUGHOUT THE CITY OF JOHNSTOWN. *
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSLVANIA AUTHORIZING AND REQUESTING THE PLANNING COMMISSION TO SCHEDULE A PUBLIC MEETING IN THE MATTER OF A PETITION FOR EXTENSION OF 138 COOPER AVENUE FROM AN “R-1” DESIGNATION TO A “C-1” DESIGNATION.*
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING GERALD STOFKO’S REQUEST TO PURCHASE THREEE YEARS, TWO MONTHS, THREE WEEKS, AND THREE DAYS OF MILITARY SERVICE COMPLETED PRIOR TO EMPLOYMENT WITH THE CITY OF JOHNSTOWN TO INCREASE HIS LENGTH OF SERVICE TO THE CITY FOR POLICE PENSION CALCULATIONS.*
11. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, RETROACTIVELY AUTHORIZING THE ADVERTISEMENT OF THE CITY MANAGER POSITION.*
12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER AND THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMNET (DCED) TO ADVERTISE FOR A JOHNSTOWN HISTORIC RESOURCE SURVEY. THE CITY OF JOHNSTOWN AND THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DECD) ARE UNDERTAKING A CITY-WIDE EFFORT TO IDENTIFY HISTORIC PROPERTIES IN THE CITY OF JOHNSTOWN AS PER THE ADVISEMENT OF THE PENNSYLVANIA HISTORIC PRESERVATION OFFICE (PASHPO). THE SURVEY WILL CONSIST OF SEVERAL PHASES TO COMPLETE THIS REQUEST. PHASE 1 WILL INCLUDE THE

FOLLOWING AREAS: MOXHAM, KERNVILLE, HORNERSTOWN, AND THE CENTRAL BUISNESS DISTRICT OUTSIDE OF THE PREVIOUSLY SURVEYED AREAS. *

13. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE TASK ORDER NO. 43 TO THE EADS GROUP, INC. FOR THE DESIGN, BIDDING, CONSTRUCTION ADMINISTRATION, PREPARATION OF PERMIT APPLICATIONS, AND INSPECTION SERVICES OF THE ROXBURY PARK UPGRADE PROJECT.*
14. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER AND CITY SOLICITOR TO RETAIN VALBRIDGE PROPERTY ADVISORS TO PERFORM AN APPRAISAL ON THE JOHNSTOWN MEDICAL DEVELOPMENT CORPORATION, PROPERTY IN CONNECTION WITH TAX ASSESSMENT APPEAL LITIGATION.*
15. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER AND CITY SOLICITOR TO RETAIN VALBRIDGE PROPERTY ADVISORS TO PERFORM A PRELIMINARY APPRAISAL REVIEW ON THE WALNUT MANAGEMENT CORPORATION, PROPERTY IN CONNECTION WITH TAX ASSESSMENT APPEAL LITIGATION.*
16. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA,, AFFIRMING AND ESABLISHING EFFECTIVE DATES OF THE APPOINTMENTS TO THE CITY OF JOHNSTOWN'S ETHICS BOARDS, FIRST MADE UNDER NEW BUSINESS ON JUNE 14, 2017 UNDER PROVISIONS OF THE BALLOT VOTER REFERENDUM OF MAY 16, 2017*
17. A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN SEEKING STATE POLICE MANPOWER TO HELP PATROL THE CITY.*
18. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, AUTHORIZING AND DIRECTING THE CITY MANAGER TO CONTACT THE PA DEP, THE ARMY CORP OF ENGINEERS, STATE SENATOR 35TH DISTRICT WAYNE LANGERHOLIC AND STATE REPRESENTATIVE 71ST DISTRICT BRYAN BARGIN REQUESTING FUNDING ASSISTANCE FOR THE PURPOSE OF MAINTENCE/REPAIRS TO THE FLOOD CHANNELS LOCATED IN THE CITY OF JOHNSTOWN.*

19. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR A GRANT THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A GRANT TO ASSIST WITH SEWER REHABILITATION IN THE AMOUNT OF \$425,000.*
20. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN. PENNSYLVANIA RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL NO. 630 FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2020.*
21. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN. PENNSYLVANIA RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE FATERNAL ORDER OF POLICE, FLOOD CITY LODGE #86 FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2020.*
22. A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN. PENNSYLVANIA RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL UNION NO. 463FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2020.*

NEW BUSINESS;

OLD BUSINESS;

PUBLIC COMMENT – NON-AGENDA ITEMS (Limit 5 minutes)

1. John DeBartola, 1197 Bedford St re: Local Government
2. Dennis Knipple, 216 Main St. re: Crosswalk signals for blind pedestrians

RECESS/ADJOURNMENT;

NEXT SCHEDULED MEETING – WEDNESDAY, MARCH 14, 2018 AT 6:00 PM

