

JOHNSTOWN CITY COUNCIL  
CITY COUNCIL AGENDA  
ANTHONY C. TRUSCELLO COUNCIL CHAMBERS  
WEDNESDAY APRIL 11, 2018  
PRESENTATIONS- 5:30 PM – BRAD CLEMENSON  
REGULAR MEETING – 6:00 PM

\*LEGEND: - Document forwarded with agenda

INVOCATION;

PLEDGE OF ALLEGIANCE;

OATH OF OFFICE;

ROLL CALL;

APPROVAL OF MINUTES;

1. Regular meeting of March 15, 2018

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION;

1. 50<sup>th</sup> Anniversary of U.S. Fair Housing Law proclamation

PUBLIC COMMENT – AGENDA ITEMS ONLY (Limit 10 minutes)

REPORTS;

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

COUNCIL UPDATES;

1. Planning Commission Minutes of March 7, 2018
2. Communication from J. Williams re: 2017 Annual Inventory
3. Communication from J. Williams re: 2018 City Operating Budget
4. Communication from J. Williams re: Former Washington St Parking Garage Permissible Limited Parking (Ord 5205)
5. Communication from J. Williams re: Budget & Finance

6. Communication from J. Williams re: Agenda Submission-Council Updates Council meeting of Wed. Apr 11, 2018
7. Communication from J. Williams re: Agenda Submission-Council Updates Council meeting of Wed. Apr 11, 2018
8. March 5, 2018 communication ITSI Loan Recap from J. Williams
9. March 6, 2018 communication Delinquent Loans from J. Williams
10. March 7, 2018 communication Investar Loans from J. Williams
11. March 8, 2018 communication Press @ Park Loan from J. Williams
12. March 9, 2018 communication 2018 City Budget (CDBG Find(04) from J. Williams
13. March 9, 2018 communication Flood City Loan from J. Williams

## NEIGHBORHOOD LIAISONS

### **ORDINANCES FOR FINAL READ;**

1. BILL NUMBER 13 OF 2018 AN ORDINANCE SPECIFICALLY AMENDING ORDINANCE NO. 4723, PASSED FINALLY APRIL 26, 1995 AND KNOWN AS THE MECHANICAL OR ELECTRONIC AMUSEMENT OR MUSICAL DEVICES," TO REVISE AND FURTHER ESTABLISH SPECIFIC DEFINITIONS CONSISTENT WITH CURRENT USES IN THE CITY OF JOHNSTOWN.

### **BILLS FOR FIRST READ**

1. 1. BILL NO. 4 OF 2018 AN ORDINANCE AMENDING ORDINANCE 4654, 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, AND 5210 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. **TABLED FEBRUARY 14, 2018. (UPDATED PROPOSAL INCLUDED IN COUNCIL PACKET)\***
2. BILL NO. 14 OF 2018. AN ORDINANCE AMENDING ORDINANCE 2447, SECTION 1810.02, PASSED FINALLY IN COUNCIL ON MARCH 30, 1943 TITLED SMOKING IN PUBLIC CONVEYANCES TO SMOKING IN PUBLIC CONVEYANCES AND OTHER DESIGNATED PUBLIC MEETING PLACES AND TO ADD SECTION (A) )1) . NO PERSON SHALL SMOKE IN ANY SPORTS OR

RECREATIONAL FACILITY IN THE CITY OF JOHNSTOWN INCLUDING THE POINT STADIUM, ROXBURY PARK AND CENTRAL PARK FROM BOUNDARY TO BOUNDARY.\*

3. BILL NO. 15 OF 2018. AN ORDINANCE AMENDING ORDINANCE NO. 4654 PASSED FINALLY IN COUNCIL ON 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 THE VOTERS ON MAY 18, 1993, AND AS FURTHER AMENDED BY Ordinance Nos. 4693, 4731, 4880, 4894, 4902, 4908, 4991, 5015, 5024, 5127, 5034, 5402, 5055, 5058, 5069, 5177) May 19, 2015 Voter Referendum, and Ord. No. 5194, 5196, 5199, 5210, 5229, 5231, and by Bill 4 of 2018, pending final consideration on March 15, 2018 (Ordinance No. Pending), AND BY FURTHER AMENDING SECTION 204 TITLED COUNCIL MEETING AGENDA.\*
4. BILL NO. 16 OF 2018. AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5245 PASSED FINALLY ON DECEMBER 13, 2017, AMENDING ORDINANCE 5250 PASSED FINALLY ON MARCH 15, 2018 CITY OF JOHNSTOWN BUDGET TO AMEND THE 2018 BUDGET TO PROPERLY ALLOCATE EXPENSES RELATING EMPLOYEES' SALARIES WITH THE PAY CHANGES DUE TO THE 2018-2020 AFSCME CONTRACT.\*
5. BILL NO. 17 OF 2018. AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5246 PASSED FINALLY ON DECEMBER 13, 2017, AMENDING ORDINANCE 5251 PASSED FINALLY ON MARCH 15, 2018 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.\*
6. BILL NO. 18 OF 2018. AN ORDINANCE AMENDING ORDINANCE NO. 5166 PASSED FINALLY ON JANUARY 28, 2016, AMENDING ORDINANCE NO. 5152, PASSED FINALLY AUGUST 13, 2014, AMENDING ORDINANCE NO. 5103 PASSED FINALLY MARCH 28, 2012. (AND REPEALED) ALL RELATING TO AND ENACTING LATERAL TESTING BY MUNICIPALITY, AND AS ENACTED BY SECTION (4) OF ORDINANCE NO. 5166, NO. 5152, AND 5103.\*
7. BILL NO. 19 OF 2018. AN ORDINANCE ENACTING PROHIBITED USES OF TELECOMMUNICATIONS AND TECHNOLOGY RESOURCES POLICY.\*

## 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 COMMERICAL), 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 CONTIUNED 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, PENNSYLVANIA AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO APPLY FOR A THREE (3) YEAR EXTENSION OF THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) CONSENT ORDER AND AGREEMENT.\*
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO WORK WITH THE COUNTY IN SUBMITTING A GRANT APPLICATION TO THE PENNSYLVANIA CENTER FOR CRIME AND DELINQUENCY (PCCD) FOR A YOUTH CRIME DIVERSION PROGRAM IN THE AMOUNT OF \$98,550.\*
4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO DECLINE THE PENNVEST FUNDING OFFER OF A \$10,900,000 LOAN FOR THE KERNVILLE SANITARY/STORM WATER SEPARATION PROJECT (ME#71434). \*
5. 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. 463 FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2020.\*
6. 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 FOR THE PROPOSAL SUBMITTED BY RDM-JOHNSTOWN, LLC TO PROVIDE BILLING AND

COLLECTION SERVICES OF THE CITY OF JOHNSTOWN SEWER RENTAL FEES.\*

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER AND THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMNET (DCED) TO SIGN AN AGREEMENT WITH HEBERLING ASSOCIATES INC. FOR A JOHNSTOWN HISTORIC RESOURCE SURVEY. THE CITY OF JOHNSTOWN AND THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) ARE UNDERTAKING A CITY-WIDE EFFORT TO IDENTIFY HISTORIC PROPERTIES IN THE CITY OF JOHNSTOWN AS PER THE ADVISEMENT OF THE PENNSYLVANIA STATE 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. \*
8. A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN AN AMENDED AGREEMENT FOR AN EXTENSION OF SERVICES WITH THE HUMANE SOCIETY OF CAMBRIA COUNTY TO PROVIDE DOMESTIC ANIMAL CONTROL FOR THE CITY OF JOHNSTOWN. \*
9. 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 FUNDING ASSISTANCE FROM THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY IN THE AMOUNT OF \$10,900,000.00 TO BE USED TOWARDS IMPROVEMENTS TO THE INNER CITY SEWER SYSTEM IN THE KERNVILLE AREA OF THE CITY OF JOHNSTOWN.\*
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA DIRECTING THAT “REQUEST FOR PROPOSALS” BE PREPARED/DEVELOPED AND ADVERTISED SEEKING SUBMISSIONS FOR THE EXCLUSIVE A) RIGHTS FOR EVENT PROMOTIONS, B) SCHEDULING, C) STADIUM MANAGEMENT OPERATIONS AND D) CONCESSION OPERATIONS AT THE POINT STADIUM, E) INCLUDING WITH AN OPTION BEING AWARDED “NAMING RIGHTS” TO THE FACILITY (POINT STADIUM).\*

11. A RESOLUTION OF 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 PA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO ASSIST WITH REMEDIATION EFFORTS PERTAINING TO ROXBURY PARK IN THE AMOUNT OF \$250,000.00.\*
  
12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE BEARD LEGAL GROUP-CITY SOLICITORS TO FILE ALL NECESSARY CIVIL LEGAL ACTIONS, WITH THE CAMBRIA COUNTY COURT OF COMMON PLEAS, FOR THE DEFAULT IN TERMS AND CONDITIONS OF ECONOMIC DEVELOPMENT LOANS GRANTED UNDER THE CITY'S ECONOMIC DEVELOPMENT REVOLVING LOAN PROGRAMS, AND SPECIFIC TO, (1) PRESS @ THE PARK (2013 UDAG LOAN \$31,250) ; (2) INVESTAR REDEVELOPMENT(2004 JOBS LOAN \$30,000) AND (2011 UDAG LOAN \$10,000), (3) FLOOD CITY LODGE #371 (2010 UDAG LOAN; \$26,400; (4) SCHRADER FLOWER SHOP (2011 JOBS LOAN \$12,700) (5) POINT PUB 2011 JOBS LOAN \$45,000); (6) 110 FRANKLIN STREET (2006 JOBS LOAN \$30,327) (INFORMATION BASED ON CITY RECORDS OBTAINED BY 1/2/18 RTK REQUEST.\*
  
13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA DIRECTING THE INTERIM CITY MANAGER TO PLACE AN ADVERTISEMENT/PUBLIC NOTICE OF THE CITY COUNCIL ACCEPTING APPLICATIONS FROM INTERESTED NON-CITY RESIDENTS RESIDING WITHIN THE SERVICE AREA OF THE GREATER JOHNSTOWN WATER AUTHORITY FOR APPOINTMENT TO THE GREATER JOHNSTOWN WATER AUTHORITY BOARD OF COMMISSIONERS FOR THE UNEXPIRED TERM OF THE LATE EDWARD CERNIC, SR. (DECEASED) , TO EXPIRE ON DECEMBER 31, 2019.\*

NEW BUSINESS;

OLD BUSINESS;

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

1. Dani Keiper, 1088 William Penn Ave, Johnstown re: Parking issues

RECESS/ADJOURNMENT;

NEXT SCHEDULED MEETING – WEDNESDAY, MAY 9, 2018 AT 6:00 PM