

JOHNSTOWN CITY COUNCIL MINUTES
Wednesday, September 12, 2018

City Council met in a stated session for the general transaction of business.
Mayor Frank Janakovic called the meeting to order at 6:05 p.m.

Reverend Sylvia King offered the invocation. The Pledge of Allegiance was recited.

Mayor Janakovic noted an Executive Session that was held prior to the meeting on August 28, 2018, with Attorney Barbin related to the matter of Williams and Stanton vs. City Council, Docket No. 2018-2294. He further noted that an Executive Session held prior to today's meeting concluded with threats of litigation.

The following members of Council were present for roll call:

Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich, Mr. Williams (7).

George Hayfield, City Manager; and Elizabeth Benjamin, Esquire, City Solicitor,
were also present.

APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the August 8, 2018 Regular Meeting Minutes.
The motion was seconded by Mr. Britt and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mrs. Stanton, Mr. Vitovich, Mr. Williams (7).
Nays: None (0).

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

Mayor Janakovic requested a motion to issue a proclamation for the 95th Anniversary of the American Association of University Women at an event to be held on Thursday, September 13, 2018.

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

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich, Mr. Williams, Mr. Britt (7).
Nays: None (0).

PUBLIC COMMENT - AGENDA ITEMS ONLY

Joseph Warhul, 44 Clover Street, Johnstown, addressed Council with regard to Resolution No. 7 that substitutes the PA Liquor Control Board's state law for local law. Mr. Warhul lives near the business requesting the change. He expressed his concern about the amplified noise. Mr. Warhul requested that Council table the matter until the ordinance can be reviewed further. Council was also requested to contact Officer Mirabella at the Pennsylvania State Police, who is familiar with the situation.

Ms. Benjamin recognized the additional individuals present to speak with regard to the letter of August 31, 2018, from John Orlosky regarding the Recreation Commission. She further stated the changes to the Administrative Code ordinance provide that the initial public comment period only pertain to matters that are the subject to an action or a vote to be taken by Council. If Council does intend to consider action on the matter at this time, then that presentation should be made.

Ms. Benjamin explained that if Council does not have a proposed item for action on the agenda, Council can take the matter into consideration after comments at the end of the meeting and bring it back for the next Council meeting. She clarified for Council that any matter proposed for action by Council should be made clear on the agenda, instead of as the listing of a letter.

Mr. Williams referred Council to the ordinance enacted in 1994 pertaining to the Recreation Advisory Committee that remains in place and can be reactivated. Mr. Orlosky will be provided a copy of the codified ordinance to address his concern.

REPORT BY THE CITY MANAGER

George Hayfield, City Manager, stated the sidewalks on Grove Avenue would be completed the first or second week of September.

Mr. Hayfield estimated the cost of the Stackhouse Park flood channel repair as \$50,000 to \$60,000. He stated DCED funds were available through the Flood Mitigation Program, but since the deadline for this year had passed, application will be made in February of 2019.

He estimated the cost for approximately 1,000 new street sweeping signs at \$10,000. He stated a camera had been installed at Roxbury Park. The City Manager indicated that Slick Alley had been cleaned up.

The receipt of the Minimum Municipal Obligation (MMO) from Mockenhaupt was noted, indicating the amount of \$3,845,000 for next year, which includes the state contribution plus the City's portion. The MMO was \$600,000 more than this year. Mr. Williams requested a copy of the MMO.

Mrs. Mock offered to work alongside Mr. Hayfield on the Stackhouse Park matter.

Mrs. Stanton made a motion authorizing the City Manager to designate one day in October for City residents to recycle electronics for a fee to be determined by the City Manager. There was further discussion regarding the motion. Council also discussed the return of department heads to council meetings.

The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,
Mr. Williams, Mr. Britt, Mayor Janakovic (7).

Nays: None (0)

Mrs. Stanton expressed concerns regarding the collection of liquid fuels on Honan Avenue. The City Manager stated PennDOT had removed Honan Avenue from the liquid fuels collection list. Mrs. Stanton requested a copy of the letter to that effect.

Mrs. Stanton requested the City Manager to check on the feasibility of vacating Honan Avenue as a street and designating it strictly as a trail.

Mr. Vitovich discussed a problem with the boundaries along the road. Mr. Williams suggested that PennDOT should be contacted regarding the matter.

Mrs. Stanton received concerns regarding a letter sent by the City Manager to residents in relation to an amendment to the current sewage ordinance. The letter indicated that, effective September 1st, air pressure testing would no longer be allowed, that water column testing would be implemented. Mr. Hayfield explained there was no change to the amendment, but that a proposed change for the International Plumbing Code would go into effect in October.

Mayor Janakovic explained that ABD provided inaccurate information and that the letter was premature. Mr. Hayfield agreed that the letter was vague and incorrect.

Mr. Williams requested an update regarding the management and promotion of the Point Stadium. Mr. Hayfield awaits a response from Deborah Grass and DCED. Mr. Williams requested a confirmation on the matter.

Mr. Williams noted a resolution presented on September 1, 2017, to borrow from UDAG and capital improvement. He indicated that Ms. Daly at the time stated that money could not be touched, and the resolution was defeated. He further referred to the attempt to take \$100,000 plus \$30,000 as adopted on December 13, 2017, as improper and illegal. Mr. Williams stated HUD indicated the money would be improperly spent. There was further discussion regarding the matter. Mayor Janakovic suggested that no further action be taken until proper clarification is received from HUD.

Mr. Williams requested an explanation of the code violation procedure. Mr. Hayfield stated a violator has five days to comply with the codes after the issuance of a ticket. Following the determination of noncompliance, the violator would be fined.

Mr. Williams referred to Resolution 4 on the agenda for further discussion on the elimination of the budget deficit balances. He will supply Council with suggestions on reallocations.

Mr. Williams requested an update on the illegal sewer connections. It was noted an ordinance on the agenda pertained to the matter.

REPORT BY THE MAYOR

Frank Janakovic, Mayor, noted his attendance for the presentation of a grant check by Congressman Rothfus for \$125,000 over a five-year period, totaling \$625,000 to the Cambria County Drug Coalition.

The Mayor was recently informed that \$1.6 million had been allocated in the President's budget to fund the Army Corps of Engineers' revisit to the Johnstown river walls and use of waterways.

Mr. Janakovic congratulated all the churches, organizations, vendors and participants on the success of the recent EthnicFest.

He attended a small business summit presented by the U.S. Small Business Administration (SBA) for discussion on ways to reduce rules and regulations for new businesses coming into the City.

Mayor Janakovic noted his attendance at a check presentation from DCNR to the Southern Alleghenies Planning Commission in the amount of \$30,000 and a Community Foundation match of \$30,000 for the riverside park below the Inclined Plane.

Mr. Janakovic extended a special thank you to the 600-plus UPJ students who volunteered to clean up Moxham and the downtown area.

He noted his attendance along with Commissioner Chernisky at a My Life Youth Forum to address issues facing the youth in the region.

The Mayor attended the Inclined Plane Bike Trail ribbon cutting ceremony. He also attended a meeting with Senator Langerholc to discuss adding bike lanes in the City, Ferndale and Upper Yoder.

Mayor Janakovic explained that grants provide much needed money for the City, and that if not applied for and put to good use, "they're going to go somewhere else".

CITY ENGINEER

No Report.

REPORT BY THE CITY SOLICITOR

Ms. Benjamin was requested to contact DEP at the August 8, 2018 Council meeting regarding amendments, SSO abatement plan and a consent order and agreement. She noted a written inquiry was submitted on August 14, 2018, to DEP, but she had not yet received a response.

Mrs. Stanton requested that Council receive a copy of the letter. She discussed the receipt of complaints about code officers carrying handguns on the job and inquiries as to the City's liability on the matter. Ms. Benjamin explained the matter had not yet been addressed, but to her knowledge, there was no restriction present to prohibit that. It is a matter of the City's policy as an employer primarily as to whether or not to permit the code enforcements officers to wear side arms. Ms. Benjamin stated the City Manager noted it as a common practice in his prior municipality.

Mr. Hayfield stated, barring any policy from the City stating otherwise, there would be no restriction. There was further discussion regarding whether or not there

was an ordinance currently in place regarding the carrying of side arms. Ms. Benjamin will submit a written opinion regarding the matter.

Mrs. Stanton discussed the poor conditions at the Public Safety Building and whether or not repairs could be made.

Mr. Williams filed a complaint on January 20, 2011, with the Department of Labor and Industry regarding the matter and referred to an inspection report that addressed structural issues and flooding. He stated the City at the time requested an extension to resolve the problems.

Mayor Janakovic suggested the building be tested.

Reverend King made a motion that the City Manager conduct testing on the Public Safety Building. The motion was seconded by Mrs. Stanton and passed by the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams,
Mr. Britt, Mayor Janakovic, Reverend King (7).

Nays: None (0).

Mrs. Stanton and Mr. Williams submitted a complaint to the DEP regarding the condition of the river walls. She noted that the walls had never been inspected according to DEP records, and that the owners of the flood channels were in violation. Mrs. Stanton inquired as to whether Mr. Hayfield contacted the owners of the flood channels on Akers Street and Edmonds Place regarding the matter. Mr. Hayfield had contacted the Army Corps of Engineers to receive advice on liability and responsibility of the privately owned channels.

Ms. Benjamin stated the process of contacting the owners of the flood channels had been initiated to some degree. The matter will be investigated further.

COUNCIL UPDATES

1. Planning Commission Minutes of August 1, 2018.

Mr. Williams commented that the Planning Commission Minutes are not compliant as the individual votes were not listed. He suggested the Minutes be returned and that correction be made.

2. Fax of August 27, 2018 from J. Williams and Charlene Stanton re: 2019 City Budget.
3. Fax of September 4, 2018 from J. Williams re: MMO requests.

4. Fax of September 4, 2018 from J. Williams.
5. Code complaints from J. Williams-8.
6. Letter of August 31, 2018 from John Orlosky re: Recreation.

Mr. Williams noted a letter stating that John Slezak's appointment to the Johnstown Housing Authority was not improper.

Mr. Williams inquired as to the status of the delinquent loans and other matters. Ms. Benjamin will gather additional information and provide an update at the next meeting during Executive Session.

NEIGHBORHOOD LIAISONS

Mrs. Mock reported the West End Improvement Group applied for a Community Foundation grant at the end of August for various items.

She noted that repairs are being made to the skateboard ramps at the skate park in conjunction with the program with JARI and training of welders.

Mrs. Mock stated a basket party was scheduled for November.

Reverend King stated the next Kernville meeting was scheduled for September 22, 2018, at 5:30 p.m. at the old Mennonite Church. The United Neighborhood group will meet at the Middle School on September 20, 2018, at 5:30 p.m.

She noted the Kernville group recently held a car wash.

Reverend King asked everyone to be mindful that school was back in session.

Mr. Britt discussed an ongoing concern as to an asphalt erosion problem near the Am-Slo playground in Old Conemaugh Borough. He directed Mr. Hayfield to investigate the matter.

Mr. Britt stated the community service cut grass in Hornerstown, but there was still a concern that the debris had not been removed.

Mr. Vitovich stated the recent volume of rain was too excessive for the inlets to handle, thus resulting in flooding in the City. He noted that many of the inlets are tied into the rivers and streams. Once the river is high, that water has nowhere to go and the ground becomes saturated. He thanked the Public Works employees for their efforts during the recent storms.

Mrs. Stanton thanked the Johnstown Fire Department for their efforts in pumping out basements during the recent storms.

Mrs. Stanton noted her attendance at the recent Johnstown Film Festival at the Discovery Center and discussed the winners of that event.

She noted an upcoming Miracle Crusade event by Missionary Gary Hale to be held at Sargent's Stadium at the Point on September 14, 2018, at 5:30 p.m.

The Cambria County Arts and Heritage Festival will be held September 15 and 16, 2018, at Duman Lake Park.

Mrs. Stanton stated the community walks at the Moxham Lutheran Church had been canceled due to the high temperatures.

She noted her recent attendance at the Moxham Crime Watch meeting. A community barbeque will be held on September 22, 2018, at the Russell House on Park Avenue. Bingo will be held the second Monday of each month at the Russell House benefits the Moxham camera program.

The Hornerstown group meetings were canceled the past two months. As noted by the City Manager, Slick Alley had been cleared of debris.

Mrs. Stanton was invited by a resident of Walnut Grove to take a tour of that neighborhood where many vacant, unsecured properties were noted.

Trees were noted to be rotted and dying at Roxbury Park. Mrs. Stanton asked that the Shade Tree Commission be contacted regarding the matter.

Mrs. Stanton thanked members of the Roxbury St. Paul's Church who provided free lawn mowing services to City of Johnstown homeowners who met the guidelines.

She has also received complaints from residents in the West End regarding flooded basements. Residents were awaiting a response from the City Manager regarding the matter. Mrs. Stanton will provide addresses and phone numbers of those residents affected.

Mr. Hayfield stated EADS investigated the Stackhouse Park channel and found no blockages. The Stackhouse retention dam was a matter of finding funding to clean it and make it a functioning retention pond again.

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Mayor Janakovic will be holding a welcome of the Miracle Crusade gathering on Friday, September 14, 2018, at Sargent's Stadium at the Point.

ORDINANCES FOR FINAL READ

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).

Mr. Vitovich made a motion to leave the ordinance tabled. Mr. Britt seconded the motion.

Mr. Williams stated the bill should be withdrawn, as it could not appear on the November 18, 2018 ballot.

Mayor Janakovic made a motion to remove the ordinance from table. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Williams, Mr. Britt,
Mayor Janakovic, Reverend King, Mrs. Mock (7).

Nays: None (0).

Mr. Williams, for the record, withdrew Bill No. 3 from further consideration. Mrs. Stanton concurred with the withdrawal.

BILL NO. 21 OF 2018, AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 5152, PASSED FINALLY ON AUGUST 13, 2014, TITLED AN ORDINANCE OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ADOPTING A SEWER USE ORDINANCE REQUIRING THE ELIMINATION OF OVERFLOWS AND FURTHER REQUIRING TELEVISED AND/OR PRESSURE TESTING OF ALL REAL

PROPERTY WITHIN THE STRUCTURE LOCATED THEREON AND REMEDIATION OF ALL PRIVATE SIDE LATERAL LINES FAILING TO PASS SAID TESTS IN THE EVENT SANITARY FLOWS EXCEED DEP-SPECIFIED DESIGN CRITERIA FOLLOWING PHASE COMPLETION OF CITY SEWER CONSTRUCTION, TO NOW FURTHER AMEND TO DELETE SECTION 2, TITLED UNLAWFUL CONNECTIONS; AND SECTION 15, TITLED PENALTIES DUE TO LACK OF ENFORCEMENT AND/OR SELECTIVE ENFORCEMENT AS WAS THE PURPOSE AND INTENT OF ORDINANCE NO. 5152 WHEN PASSED FINALLY ON AUGUST 13, 2014 (Tabled June 13, 2018.)

Mrs. Mock made a motion to remove the ordinance from table. The motion was seconded by Mrs. Stanton and passed by the following vote:

Yeas: Mr. Williams, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock, Mrs. Stanton, Mr. Vitovich (7).
Nays: None (0).

Mrs. Stanton made a motion to approve the ordinance. Mrs. Mock seconded the motion.

Mrs. Stanton commented that the purpose of the ordinance was to remove the fine for illegal connections, and that this ordinance related to the 2,000 properties still in violation.

Reverend King commented the matter should be further explained to City property owners and given a "hard fast deadline" to get the work done.

Mr. Williams noted the ordinance was already in place and needed to be enforced. He suggested, if the ordinance was not going to be enforced, the penalty should be removed.

Mayor Janakovic referred Council to a letter authored by Mr. Williams to DEP and read it into the record as follows: The City was in violation of COA, the consent order, for 19 months, approximately 570 days. The 2010 consent had a stipulated penalty of an amount of \$500 per day violation of the ordinance. Rather than force the City to pay a \$300,000 penalty, DEP exercised its discretion to enable the City to achieve compliance with the execution of the First Amendment.

There was further discussion regarding the ordinance.

The motion failed by the following vote:

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

Nays: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).

Mr. Williams stated the City Manager would be exposed to charges for not enforcing the ordinance.

ORDINANCES FOR FIRST READ

BILL NO. 25 OF 2018, AN ORDINANCE TO PARTIALLY VACATE POPPY ALLEY FROM 143 LORAIN STREET TOWARDS CROYLE STREET TO THE END OF POPPY ALLEY IN JOHNSTOWN, PENNSYLVANIA, AS A PUBLIC THOROUGHFARE. (Tabled 8/8/18)

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

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich, Mr. Britt (6).

Nays: Mr. Williams (1).

Mrs. Mock made a motion to approve the ordinance. Mr. Vitovich seconded the motion.

Mrs. Stanton commented on a vacant property on Franklin Street, which is owned by this same property owner that was reported to the codes department for not paying a vacant property fee.

Ms. Benjamin recommended that the ordinance be amended as there was an updated version identifying the ordinance appropriately as Bill No. 25 and pending an updated petition with proper notarization. She recommended the following motion to amend the bill:

A motion to amend Bill No. 1 under Ordinances for First Read on the September 12, 2018 agenda, referencing an ordinance to partially vacate Poppy Alley in order to delete the title referencing it as Bill No. 24 and replace its reference as Bill No. 25. And to further amend it to delete and replace the attached petition with the updated and notarized version included in the agenda.

Mr. Britt made a motion to approve the ordinance as amended. Mr. Vitovich seconded the motion.

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It was suggested that the matter be tabled until the property could be brought up to code and the vacant property fee paid. The City Manager was requested to contact the property owner with regard to the matter.

Ms. Benjamin recommended that Council still vote on the motion to amend the ordinance. The ordinance can then be considered tabled until the further requirements have been met.

The motion to amend the ordinance passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,
Mr. Britt, Mayor Janakovic (6).
Nays: Mr. Williams (1).

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

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams, Mr. Britt,
Mayor Janakovic, Reverend King (7).
Nays: None (0).

BILL NO. 26 OF 2018, AN ORDINANCE INCREASING THE INDEBTEDNESS OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, BY THE ISSUE OF A GUARANTEED REVENUE NOTE IN THE MAXIMUM PRINCIPLE AMOUNT OF \$3,906,560.00 FOR THE PURPOSES OF REHABILITATING THE INNER CITY SANITARY SEWER SYSTEM; FIXING THE FORM, DATES, INTEREST AND MATURITY THEREOF; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE ON THE NOTE; PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENTATION WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO INCUR AND EXCLUDE ADDITIONAL DEBT OF THE GOVERNMENTAL UNIT; PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITORY FOR THE NOTE; PROVIDING FOR THE AUTHORIZED SIGNATORIES AND AUTHORIZING EXECUTION, SALE AND DELIVERY THEREOF.

Mr. Vitovich made a motion to approve the ordinance. Mr. Britt seconded the motion. Mr. Hayfield stated the grant amount was \$6,900,000.00.

The motion passed by the following vote:

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Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).
Nays: Mrs. Stanton, Mr. Williams (2).

BILL NO. 27 OF 2018, AN ORDINANCE OF CIT COUNCIL OF THE CITY OF JOHNSTOWN, COUNTY OF CAMBRIA, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 5246, PASSED FINALLY ON DECEMBER 13, 2017 AND AS AMENDED BY ORDINANCE NO. 5251 ON MARCH 15, 2018, AND AMENDED BY ORDINANCE NO. 5254 ON MAY 9, 2018 THE 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.

Mr. Williams made a motion to table the ordinance pending further review. The motion was seconded by Reverend King and passed by the following vote:

Yeas: Mr. Vitovich, Mr. Williams, Mr. Britt, Reverend King,
Mrs. Mock, Mrs. Stanton (6).
Nays: Mayor Janakovic (1).

RESOLUTIONS

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH LIBERONI, INCORPORATED, AWARDED CONTRACT 2018-04 FOR THE CONSTRUCTION OF THE BROAD STREET INTERCEPTOR LATERAL REHABILITATION PROJECT.

Mr. Vitovich made a motion to approve the resolution. Mr. Britt seconded the motion.

Mr. Hayfield noted the original start date scheduled for September 2018.

Mr. Williams made a motion to table the resolution pending further information. The motion was seconded by Mrs. Stanton and passed by the following vote:

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Yeas: Mr. Williams, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock, Mrs. Stanton, Mr. Vitovich (7).
Nays: None (0).

Resolution No. 10116

A RESOLUTION OF THE CITY OF JOHNSTOWN, COUNTY OF CAMBRIA,
COMMONWEALTH OF PENNSYLVANIA, APPROVING THE
TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R-8096 INTO
THE CITY OF JOHNSTOWN.

Mrs. Stanton made a motion to approve the resolution. Mr. Vitovich seconded the
motion. It was noted the matter related to a Sheetz store.

The motion passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Mr. Vitovich, Mr. Williams (4).
Nays: Reverend King, Mrs. Mock, Mrs. Stanton (3).

Resolution No. 10117

A RESOLUTION OF THE CITY OF JOHNSTOWN, COUNTY OF CAMBRIA,
COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING AN
APPLICATION TO THE PENNSYLVANIA MUNICIPAL ASSISTANCE
PROGRAM.

Mr. Vitovich made a motion to approve the resolution. Mrs. Mock seconded the
motion.

The City Manager explained this resolution relates to the application process for a
comprehensive plan, and that a match will be coming from outside the City.

Mrs. Stanton stated this resolution provided for a study to get housing for downtown.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Britt (5).
Nays: Mrs. Stanton, Mr. Williams (2).

Resolution No.

A RESOLUTION OF THE CITY OF JOHNSTOWN, COUNTY OF CAMBRIA, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2018 CITY OF JOHNSTOWN BUDGET DEFICIT BALANCES AND MORE SPECIFICALLY, BUDGET EXHIBIT (A).

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

Yeas: Reverend King, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,
Mr. Williams, Mr. Britt (6).

Nays: Mayor Janakovic (1).

Mr. Williams indicated there could be further discussion regarding this resolution at the next nonvoting budget workshop scheduled for Wednesday, September 26, 2018, at 5:00 p.m. Council agreed to change the time of the workshop to 6:00 p.m. to accommodate a request by Mayor Janakovic.

Resolution No. 10118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING CHAD MILLER'S REQUEST TO PURCHASE FOUR YEARS MILITARY SERVICE COMPLETED PRIOR TO EMPLOYMENT WITH THE CITY OF JOHNSTOWN TO INCREASE HIS LENGTH OF SERVICE TO THE CITY FOR POLICE PENSION CALCULATIONS.

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

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams, Mr. Britt,
Mayor Janakovic, Reverend King (7).

Nays: None (0).

Resolution No. 10119

A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 10085 TO PROVIDE FOR THE UPDATED RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, SUPPORTING A PETITION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD

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(BOARD'S) FOR THE PROPERTY KNOWN AS 229 MAIN STREET FOR
SUBSTITUTION OF THE CITY OF JOHNSTOWN'S NOISE ORDINANCE
FOR SECTION 493(34) OF THE LIQUOR CODE.

Mrs. Mock made a motion to approve the resolution. Mr. Vitovich seconded the motion.

Mrs. Stanton suggested that Chief Johnson as well as the State Police be contacted regarding this matter.

Ms. Benjamin explained that both of the resolutions were adopted at the last meeting, but the PLCB requested amendments to include a specific reference to the Liquor Code. This resolution will replace the prior resolutions already passed.

Mrs. Stanton made a motion to table the resolution. Mr. Williams seconded the motion.

The motion to table the resolution failed by the following vote:

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

Nays: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).

Reverend King made a motion to approve the resolution as read. Mrs. Mock seconded the motion.

Ms. Benjamin explained that PLCB would conduct a hearing once the petition was filed.

There was further discussion regarding the matter.

The motion to approve the resolution as read passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich,
Mr. Britt (5).

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

Resolution No.

A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 10113 TO
PROVIDE FOR THE UPDATED RESOLUTION OF THE CITY COUNCIL
FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, SUPPORTING A
PETITION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD

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(BOARD'S) FOR THE PROPERTY KNOWN AS 80 BRIDGE STREET
FOR THE SUBSTITUTION OF THE CITY OF JOHNSTOWN'S NOISE
ORDINANCE FOR SECTION 493 (34) OF THE LIQUOR CODE.

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

Yeas: Reverend King, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,
Mr. Williams, Mr. Britt, Mayor Janakovic (7

Nays: None (0).

The City Manager stated Chief Johnson was not in favor of the resolution.

Resolution No.

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL
DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH
STRAW CONSTRUCTION CO., INC. AWARDING CONTRACT 2018-08
FOR THE CONSTRUCTION OF THE ROXBURY PARK UPGRADES
PROJECT.

The City Manager withdrew the resolution. There was further discussion regarding the matter.

MOTIONS

None.

NEW BUSINESS

None.

OLD BUSINESS

Johnstown Housing Authority Appointment

Mr. Williams made a motion to open nominations for the Johnstown Housing Authority. He nominated Lindy Yutzy.

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Mr. Vitovich made a motion to nominate John Slezak.

Mr. Williams made a motion to close nominations.

Votes for Lindy Yutzy: Mrs. Stanton, Mr. Williams (2).

Votes for John Slezak: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).

.Ms. Benjamin explained that Council members should submit names and give the City Manager direction on bringing back a resolution with regard to the Loan Review Committee. Mr. Williams questioned whether Ms. Benjamin should comment on the matter since she had recused herself previously but would abstain from any further comments. There was further discussion regarding the matter. The City Manager was asked to review the matter further with regard to the four Loan Review Committee appointments.

PUBLIC COMMENT - NONAGENDA ITEMS

Deborah Coleman, Rear 816 Oak Street, Johnstown, addressed Council regarding a roach problem at 826 and 828 Oak Street that has been ongoing for the past four years. She provided Council with photographs of her residence. Ms. Coleman agreed to spend \$400 to have Ehrlich spray around her home.

An unidentified speaker offered comments on the problem and indicated that the City Police were aware of the problem, and that two Pit Bulls were left abandoned in the home. She stated the roaches were entering other homes as well.

Ms. Coleman discussed a fecal matter problem at a home in front of hers that houses nine dogs. She requested that the homeowners be contacted regarding the dog matter as well as the roach problem. She asked for the home be placed on the demolition list.

Mr. Coleman offered additional comments on the matter. The City Manager will follow up on the problems.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

Wednesday, September 12, 2018 19 of 19
Stated Meeting, continued

The next Budget Work Session is scheduled for Wednesday, September 26, 2018, at 6:00 p.m. (changed from 5:00 at the Mayor's request).

The next regular meeting is scheduled for Wednesday, October 10, 2018 at 6:00 p.m.