

COMMONWEALTH OF PENNSYLVANIA

JOHNSTOWN CITY COUNCIL

* * * * *

IN RE: Bills 35, 36, and 32 of 2019

* * * * *

BEFORE: FRANK JANAKOVIC, Mayor
Marie Mock, Deputy Mayor
Robert Ritter, Acting City
Manager
Jack Williams, Member
David Vitovich, Member
Sylvia King, Member
Charlene Stanton, Member

COPY

HEARING: Thursday, December 27, 2018
5:00 p.m.

LOCATION: Public Safety Building
Council Chambers
4th Floor
401 Washington Street
Johnstown, PA 15901

Reporter: Kimberly I. Faidley
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A P P E A R A N C E S

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P R O C E E D I N G S

MAYOR JANAKOVIC:

I would like to call to order the --- today on Bill 35 of 2019 budget ordinance; Bill 36 of 2019 Wage and Salary Ordinance. And Bill 32 of 2019, repealing Ordinances 5250, 5253 and 5257. Solicitor, do you have anything to add?

ATTORNEY BENJAMIN:

Yes.

We'd like to make note for the record that the public hearing was advertised and published in the Tribune Democrat on December 15th, 2018. We will be giving a copy of the proof of publication to the stenographer and again clarify that we are looking at Bill 32 of 2018, which is an ordinance amending the 2018 budget.

Bill No. 35 of 2018 is an ordinance setting forth the 2019 budget. And Bill No. 36 of 2018 is an

1 Ordinance fixing salaries and wages
2 repaid to all elected officials,
3 employees, referred to as our wage and
4 salary ordinance for 2019.

5 And that's what the
6 three respective bills are. And the
7 purpose of this hearing is to now
8 allow any members of the public who
9 wish to comment on any of these three
10 bills to now do so.

11 Thank you.

12 I can give this to you
13 later.

14 MAYOR JANAKOVIC:

15 Is Mr. Williams the only
16 one signed up then?

17 I believe so.

18 AUDIENCE MEMBER:

19 Daniel Stonebrook.

20 AUDIENCE MEMBER:

21 I --- I didn't sign up
22 for the ---. I came to speak
23 about something else after the
24 meeting.

25 MR. WILLIAMS:

1 Excuse me. Excuse me.
2 That's not an agenda
3 item about using accounts.

4 MAYOR JANAKOVIC:

5 That would be for the
6 --- our special meeting.

7 ATTORNEY BENJAMIN:

8 Or maybe ---.

9 MAYOR JANAKOVIC:

10 Or maybe ---.

11 AUDIENCE MEMBER:

12 I'm sorry, guys. I
13 signed up for the wrong sheet.

14 Did I sign into the
15 wrong sheet?

16 ATTORNEY BENJAMIN:

17 This is the public
18 hearing at --- on those three bills.
19 So if it doesn't have to do with the
20 three budget --- the two budget and
21 the one wage and salary ordinance
22 bills, they would --- this would not
23 be the ---

24 AUDIENCE MEMBER:

25 Okay.

1 ATTORNEY BENJAMIN:

2 --- time.

3 MS. STANTON:

4 Can he speak at the ---
5 the regular meeting?

6 ATTORNEY BENJAMIN:

7 I'm not sure what the
8 topic is that he referenced for the
9 special meeting.

10 MAYOR JANAKOVIC:

11 Let's deal with this
12 meeting first.

13 ATTORNEY BENJAMIN:

14 But we can address that
15 at that --- at that time.

16 AUDIENCE MEMBER:

17 It is the one at 5:30?

18 ATTORNEY BENJAMIN:

19 Well, yes.

20 We can further address
21 it at that time.

22 AUDIENCE MEMBER:

23 I was just wondering. I
24 signed the wrong paper.

25 MAYOR JANAKOVIC:

1 All right.

2 MS. STANTON:

3 But he may be waiting
4 here for half hour for our public
5 hearing whenever he wouldn't be
6 permitted to speak.

7 ATTORNEY BENJAMIN:

8 Yeah. That's why I
9 asked him.

10 MAYOR JANAKOVIC:

11 Yeah.

12 If it's a non-agenda
13 item, you won't be able to speak to
14 the special meeting.

15 ATTORNEY BENJAMIN:

16 This is a special
17 meeting so it's limited to just ---

18 MAYOR JANAKOVIC:

19 At 5:30.

20 ATTORNEY BENJAMIN:

21 --- the topics that are
22 on the agenda.

23 AUDIENCE MEMBER:

24 Okay.

25 All right.

1 And I --- there were two
2 sheets there. I guess I just signed
3 the wrong one.

4 MS. STANTON:

5 What did you want to
6 say?

7 MAYOR JANAKOVIC:

8 No. No. Let --- let me
9 clarify it for you.

10 You will not be able to
11 speak at the second meeting for a
12 non-agenda item. It's a special
13 meeting ---

14 AUDIENCE MEMBER:

15 Okay.

16 MAYOR JANAKOVIC:

17 --- specifically. So
18 you will not be able to speak this
19 evening.

20 AUDIENCE MEMBER:

21 Okay.

22 All right.

23 MAYOR JANAKOVIC:

24 Just so we're clear.

25 ATTORNEY BENJAMIN:

1 We just didn't want to
2 have --- waste your time because we
3 are limited in our topics for tonight.

4 MAYOR JANAKOVIC:

5 Okay?

6 AUDIENCE MEMBER:

7 Yeah.

8 MAYOR JANAKOVIC:

9 All right.

10 Mr. Williams?

11 Name, address?

12 MR. WILLIAMS:

13 John Jack Williams, 360
14 Corrine Street, Johnstown,
15 Pennsylvania.

16 MAYOR JANAKOVIC:

17 Thank you.

18 MR. WILLIAMS:

19 Okay.

20 We don't want a rerun of
21 what happened on the 12th. And the
22 handout that I gave tonight is for
23 your convenience. And if you brought
24 your budgets, you could follow along.

25 I talked to Ms. Benjamin

1 about air commissions and Bill 36, the
2 Wage and Salary Ordinance, which is
3 not compliant with budget applications
4 of salaries. And I don't know what
5 Ms. Benjamin's going to say about that
6 at the meeting. As far as I'm
7 concerned it can't pass.

8 All right?

9 The budget itself, we
10 have some issues.

11 All right?

12 And I'll start out and
13 highlight, under the city manager line
14 item salaries. It was initially
15 proposed at \$148,000 and then through
16 amendments submitted by the
17 administration, took it down to
18 \$107,000.

19 Finance salaries was
20 originally at \$165,000. Through
21 amendment was taken to \$117,000.
22 Police was submitted in \$1,875,000.

23 All right?

24 It later was amended to
25 1,864,276. And for clarification

1 purposes, I talk to Mr. Ritter
2 yesterday. We have --- have had each
3 year, severances and retirement of
4 police officers, fire fighters and
5 everything else.

6 Last year, Liston
7 decided he was going to pay those
8 retirements out of the salary account,
9 which they are not salaries.

10 Okay?

11 The only thing in that
12 line item should be the wages and
13 salaries for the active duty people.
14 To me, that needs to be amended,
15 another line item put in the budget
16 for whatever the terminology is,
17 termination pay, severance pay with a
18 specific sum. It's giving false
19 figures that police salaries are
20 higher than what they are.

21 That, I would say, it
22 probably pertains to fire, too. I'm
23 not sure how many people --- put it
24 this way, any city employee that's
25 employed and there's a retirement

1 factor in there, it should be a line
2 item in there for them.

3 MS. MOCK:

4 Is that what we
5 discussed the one time where you
6 project out --- so we're not
7 getting ---.

8 Remember we talked about
9 that?

10 MR. WILLIAMS:

11 Right.

12 MS. MOCK:

13 You know, like a pending
14 asset --- or like an account payable
15 kind of thing?

16 MR. WILLIAMS:

17 The first year of this,
18 1994, it was a line item in there
19 because we knew there was going to be
20 people leaving. So we had a separate
21 line item for retirements. So it
22 wasn't attributed to police or fire.

23 MS. MOCK:

24 If everybody retired at
25 the same time, you knew what ---.

1 MR. WILLIAMS:

2 Right.

3 That was it.

4 MS. MOCK:

5 We talked ---.

6 MR. VITOVICH:

7 Or liability would

8 be ---.

9 MS. MOCK:

10 Yep.

11 MR. WILLIAMS:

12 Just to me it wouldn't
13 matter whether the administration put
14 the retirements under --- so much
15 money under police, or fire or
16 anything else, as long as it's
17 distinguished. That needs to be
18 amended.

19 MS. MOCK:

20 Okay.

21 MR. WILLIAMS:

22 Now that's --- that's a
23 problem.

24 Okay?

25 MS. MOCK:

1 Okay.

2 Makes sense.

3 MR. WILLIAMS:

4 Now, I mentioned the
5 finance severance and I'll get back to
6 that.

7 Fire department; again,
8 the terminal pay ---. And the other
9 thing that city manager talked about
10 in press releases and stuff, about
11 hiring four part-time firefighters.

12 You recall that?

13 MAYOR JANAKOVIC:

14 Uh-huh (yes).

15 MR. WILLIAMS:

16 The wage and salary
17 ordinance does not have those four
18 provisions in there. So you know, I
19 think everything I said in the last
20 meeting, if Tuesday, January 2nd, we
21 had three firefighters get the flu or
22 something else, the city cannot bring
23 those part-time firefighters in,
24 unless it's in the adopted wage and
25 salaries. They put the money in the

1 budget, but not the positions. That
2 needs to be amended in the wage and
3 salary.

4 Public works.

5 Okay.

6 What's here is different
7 than what's the required appropriation
8 is. And I'm going to address that
9 with the wages and salary and how I
10 believe that happened and how to
11 correct it.

12 Salary and wages for
13 community development. Ms. Benjamin
14 and I talked about this on the phone.
15 And you have eight positions in
16 community development.

17 All right?

18 Some of those positions
19 can be paid with a percentage of
20 community development money with the
21 balance coming from the general fund.
22 I've been trying to get those
23 percentages for over a year from three
24 different city managers and I haven't
25 gotten them.

1 The records that I do
2 have for accounting administrative
3 assistance, 50/50. Fifty (50) from
4 the general fund, 50 from a CD. Two
5 codes officers with four percent
6 general fund, 96 percent CD. One code
7 officer is a 100 percent city pay.
8 And it has to be distinguished what
9 they are.

10 Okay

11 And what line item
12 they're coming out of the budget.

13 MS. MOCK:

14 Makes sense.

15 MR. WILLIAMS:

16 Moving on.

17 Under community
18 development, under fringe benefits. I
19 can't figure this one out.

20 Under fringe benefits

21 MS. MOCK:

22 Where are you at, Mr.

23 Williams?

24 MR. WILLIAMS:

25 This is community

1 development. Okay?

2 Are you in your regular
3 budget or ---?

4 MS. MOCK:

5 I'm on the wage and
6 salary.

7 MR. WILLIAMS:

8 That would be under the
9 wage and salary, not the actual
10 budget.

11 Right?

12 MS. MOCK:

13 Right.

14 MR. WILLIAMS:

15 Ms. King, you have that
16 --- that part here?

17 REVEREND KING:

18 Uh-uh (yes).

19 MR. WILLIAMS:

20 Okay.

21 I'll mention --- I mean,
22 you could verify what I'm saying.

23 REVEREND KING:

24 Okay.

25 What line items

1 were ---?

2 MR. WILLIAMS:

3 I'm sorry?

4 REVEREND KING:

5 What line item are you
6 at?

7 MR. WILLIAMS:

8 It's the community
9 development and it's under fringe
10 benefits. The account number would be
11 01460. And then you go --- first
12 category would be payroll costs.
13 Second one would be fringe benefits.

14 MR. RITTER:

15 It's on page 17.

16 REVEREND KING:

17 Seventeen (17)?

18 MR. RITTER:

19 Yeah.

20 REVEREND KING:

21 All right.

22 MS. MOCK:

23 Here we go.

24 MR. WILLIAMS:

25 You see the fringe

1 benefits there?

2 MS. MOCK:

3 Yes.

4 MR. WILLIAMS:

5 Where it says, the first
6 one is CD Demolition Expense?

7 REVEREND KING:

8 Yes.

9 MR. WILLIAMS:

10 My question is when the
11 hell did CD demolition expense go into
12 fringe benefits? All right. \$15,000.

13 REVEREND KING:

14 Okay.

15 MR. WILLIAMS:

16 You can take a look
17 after that, they're getting workmen's
18 comp, life insurance, boom, boom,
19 boom. That needs to be amended to be
20 placed in the proper category.

21 MAYOR JANAKOVIC:

22 What's the proper
23 category?

24 MR. RITTER:

25 Well, we could put it

1 down under operating expenses.

2 MR. WILLIAMS:

3 We'll put under
4 demolition, too.

5 MR. RITTER:

6 That's --- be the
7 next ---

8 MAYOR JANAKOVIC:

9 Under demolition.

10 MR. RITTER:

11 --- next category.

12 MS. MOCK:

13 Can we down one under
14 the 460.21.01 account?

15 AUDIENCE MEMBER:

16 Where are you putting
17 it?

18 MS. MOCK:

19 Right in operating
20 expenses because it looks like there's
21 demo ---. No.

22 It really couldn't go in
23 there, either.

24 MR. WILLIAMS:

25 Okay. But in the CD's

1 budget, you have demolition expenses.

2 MS. MOCK:

3 Okay.

4 MR. WILLIAMS:

5 It's definitely does not
6 belong in fringe benefits.

7 MS. MOCK:

8 Okay.

9 Is that a major thing
10 here, Bob, to move that around?

11 MR. RITTER:

12 No.

13 MS. MOCK:

14 Okay.

15 MR. RITTER:

16 No.

17 MR. WILLIAMS:

18 Okay.

19 The next one. I'm
20 getting towards the end.

21 Okay.

22 Under Department

23 Transfers.

24 MR. RITTER:

25 Are you talking about

1 OPEB?

2 Okay.

3 We're done with fringe
4 benefits. So it would be line item
5 01.492.56

6 MRS. MOCK:

7 Transfer OPEB.

8 MR. RITTER:

9 That's on page nine.

10 MR. WILLIAMS:

11 Yes.

12 Transfer OPEB. It's
13 zero. Me and Mr. Ritter were talking
14 about that yesterday. He said that
15 OPEB is in various compartments.

16 And correct me if I'm
17 wrong.

18 MR. RITTER:

19 Yes.

20 MR. WILLIAMS:

21 All right.

22 And I hear what you're
23 saying but that is for the current
24 year. In other words, 2019.

25 The Recovery Plan, Sixth

1 and Seventh, if you can turn --- I'll
2 show you, because we have this
3 unfunded gap.

4 Okay?

5 Where that says \$20
6 million. The city shall --- shall
7 budget at least \$50,000 a year towards
8 that unfunded debt.

9 MS. MOCK:

10 Well, don't we have that
11 budgeted somewhere in another line
12 item?

13 MR. RITTER:

14 Yeah.

15 It's under like retiree
16 fringe benefits, like --- like
17 retirement healthcare, retirement
18 vision.

19 MAYOR JANAKOVIC:

20 So it's budgeted. It's
21 just to ---.

22 MR. RITTER:

23 It's budgeted. It's
24 just ---.

25 MR. WILLIAMS:

1 No. It's not.

2 Okay?

3 You're talking about the
4 current year's liability.

5 MR. RITTER:

6 That's right.

7 MR. WILLIAMS:

8 Not this unfunded debt.

9 MR. RITTER:

10 Right.

11 On the future years.

12 Yeah.

13 MR. WILLIAMS:

14 Right.

15 In other words, 2019,
16 what's in there, is for reimbursement
17 or whatever you called it, during the
18 course of 2019. The escrow, whatever
19 you want to call it, a dedicated
20 account. This recovery plan is
21 completely separate.

22 All right?

23 And I suggest you look
24 in the recovery plan.

25 I remember 2016, I had a

1 war with the department coordinator,
2 where she also said --- she was going
3 to waive that requirement for the
4 year, 2016 or '17. But it's in there.
5 And again, not to argue, but it's two
6 different things. The current year
7 and the unfunded mandate. So we need
8 50,000 in there unless you get a
9 letter from the coordinator, not a
10 telephone call or a whisper that it's
11 not required for 2019.

12 Does anyone disagree
13 with that?

14 MS. MOCK:

15 No.

16 MR. RITTER:

17 Well, I wasn't aware of
18 that.

19 MAYOR JANAKOVIC:

20 As long as it's written
21 in there, absolutely.

22 ATTORNEY BENJAMIN:

23 I mean, the recovery
24 coordinator did issue a letter
25 confirming their satisfaction with the

1 budget. They issued that to CD.

2 MAYOR JANAKOVIC:

3 Well, then that would
4 cover it.

5 ATTORNEY BENJAMIN:

6 But I don't know that
7 this was what they addressed.

8 MS. MOCK:

9 I would ask to be
10 specific.

11 ATTORNEY BENJAMIN:

12 I think that's fine, but
13 just to be clear, they did issue
14 approval of the budget ---

15 MS. MOCK:

16 Okay.

17 ATTORNEY BENJAMIN:

18 --- based on their
19 review.

20 MR. WILLIAMS:

21 Well, based on these
22 other amendments this budget can't be
23 passed tonight anyhow.

24 MAYOR JANAKOVIC:

25 It can be passed tonight

1 and amended.

2 MR. WILLIAMS:

3 I'm sorry?

4 MAYOR JANAKOVIC:

5 It can be passed tonight
6 and amended in January.

7 MR. WILLIAMS:

8 You can amend it if you
9 want to go through that. Then you're
10 going to go through another hearing.
11 And in ten days, how could they?

12 Okay.

13 In the recreation fund,
14 all right, wages and salaries. The
15 positions down --- some are summer
16 help or part-time help; that's one
17 laborer, it came to \$43,000. The same
18 budget only has allocated \$30,000.
19 There's insufficient funds there.

20 Now, this sewer upgrade
21 maintenance fund. It's one position
22 in that sewer fund. Not the general
23 fund. The waiver is \$23,000. The
24 city budget only budgeted \$20,000. So
25 there's --- there's two items there

1 that are insufficiently inflated in
2 2019.

3 Did you look at page ten
4 of that budget, Ms. King?

5 MS. MOCK:

6 What line item?

7 MR. WILLIAMS:

8 That would be --- is
9 that the original budget that you got
10 last week?

11 REVEREND KING:

12 Yeah.

13 This is what --- this is
14 what was in our packet. Okay.

15 MR. WILLIAMS:

16 Do we know the dates?

17 MR. VITOVICH:

18 What page --- what page
19 is that, Jack?

20 MS. MOCK:

21 Ten.

22 MR. VITOVICH:

23 Ten?

24 MS. MOCK:

25 Yes.

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MAYOR JANAKOVIC:

Which item? What's the
account number?

MR. WILLIAMS:

Total operating
expenses. Do you see that? It's
\$190,500?

MAYOR JANAKOVIC:

Yep.

MR. WILLIAMS:

Go all the way across to
\$190,500.

MAYOR JANAKOVIC:

Right.

MR. WILLIAMS:

That's wrong.

The last column should
be \$174,500 because 25,000 was amended
to take police cruiser off, at least
and put in debt services.

MAYOR JANAKOVIC:

So we're --- we're
moving these around. It's still there
in the budget. It just needs moved
over ---

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MR. RITTER:

Yeah.

It's just about there.

MAYOR JANAKOVIC:

--- to a new account.

MR. WILLIAMS:

It's a false figure.

MR. RITTER:

You list subtotal there.

MAYOR JANAKOVIC:

It's allocated in a
different place.

MR. RITTER:

Right.

MS. MOCK:

No.

MR. RITTER:

Yeah.

MS. MOCK:

Well, no, it's down in
--- it's included down below and it
shouldn't be. It should be ---
because it's up at --- in the middle
of the page there.

MAYOR JANAKOVIC:

1 The \$25,000?

2 MS. MOCK:

3 That should be adjusted
4 down below. It all comes out in a
5 wash.

6 MAYOR JANAKOVIC:

7 That's what I'm saying.

8 MS. STANTON:

9 Yeah.

10 MR. RITTER:

11 Yeah.

12 MR. WILLIAMS:

13 It's the \$25,000 and
14 documented it for council, and he said
15 \$190,500.

16 Right?

17 It needs amended.

18 MS. MOCK:

19 Yes, it does.

20 MAYOR JANAKOVIC:

21 It's zeroed out over
22 there; isn't it?

23 MR. WILLIAMS:

24 I'm sorry?

25 MAYOR JANAKOVIC:

1 Isn't it zeroed out in
2 the adjusted budget?

3 MR. RITTER:

4 Yeah.

5 MR. WILLIAMS:

6 It took the \$25,000 out,
7 but they failed to take it out of the
8 total.

9 MR. VITOVICH:

10 Correct.

11 MAYOR JANAKOVIC:

12 She did reduce that from
13 the 344?

14 MR. RITTER:

15 Yeah.

16 It's just --- it's the
17 subtotal that is incorrect.

18 MR. WILLIAMS:

19 As an amended.

20 MR. RITTER:

21 So it has to be
22 adjusted.

23 MR. WILLIAMS:

24 Any questions?

25 MAYOR JANAKOVIC:

1 But does that reallocate
2 it somewhere else if we didn't take it
3 out of this total?

4 MR. RITTER:

5 It's actually out of
6 there, but it's not --- it's just not
7 showing it. The figure isn't
8 adjusted.

9 MAYOR JANAKOVIC:

10 That 3443 isn't
11 adjusted?

12 MR. RITTER:

13 Right.

14 MS. MOCK:

15 The --- the net figure
16 is fine. It's just the way it's
17 allocated.

18 MR. RITTER:

19 Yeah.

20 MR. WILLIAMS:

21 So the budget is going
22 to adopt it.

23 MAYOR JANAKOVIC:

24 So the allocations ---.

25 MR. WILLIAMS:

1 It's pretty inaccurate.

2 MS. STANTON:

3 I get it.

4 ATTORNEY BENJAMIN:

5 But does it render it
6 imbalanced or balanced?

7 MAYOR JANAKOVIC:

8 It was still balanced.

9 ATTORNEY BENJAMIN:

10 It's still balanced.

11 Correct?

12 MR. RITTER:

13 Yes. It's still

14 balanced.

15 Yeah.

16 ATTORNEY BENJAMIN:

17 Okay.

18 MAYOR JANAKOVIC:

19 We're talking about

20 accounts ---.

21 MR. RITTER:

22 We just miss --- missing
23 the substance of it.

24 MR. WILLIAMS:

25 You're saying it's

1 balanced, but it is not a true and
2 accurate budget.

3 Right?

4 MAYOR JANAKOVIC:

5 It's just --- it's not
6 allocated to the right portion.

7 MR. WILLIAMS:

8 This talk ---.

9 MAYOR JANAKOVIC:

10 The balance is --- the
11 budget's still balanced. This is just
12 allocated --- it needs reallocated.

13 MR. WILLIAMS:

14 He's making up
15 excuses ---.

16 MAYOR JANAKOVIC:

17 I'm not making excuses.
18 I'm telling you accounting. It's
19 basically been allocated somewhere
20 else.

21 MR. RITTER:

22 Yeah. We're just ---.

23 MAYOR JANAKOVIC:

24 That number needs to be
25 adjusted.

1 MR. WILLIAMS:

2 It was allocated ---

3 MAYOR JANAKOVIC:

4 That number just isn't
5 correct.

6 MR. WILLIAMS:

7 --- when it was amended
8 on December 12th to take it from the
9 general fund to put it in debt service
10 fund.

11 MAYOR JANAKOVIC:

12 Uh-huh (yes).

13 MR. WILLIAMS:

14 All right?

15 You adjusted the debt
16 service total by \$25,000. Increased
17 it.

18 Right?

19 MR. RITTER:

20 Right.

21 MR. WILLIAMS:

22 What I'm saying is if
23 you're passing a budget, it has to be
24 correct.

25 Okay?

1 Addition, subtraction.

2 REVEREND KING:

3 And the 199 is not a
4 correct figure?

5 MR. WILLIAMS:

6 Correct.

7 Because that --- that
8 budget's going on to the DCED. It's a
9 permanent record for the city. It's
10 going to go to the First Summit Bank.
11 It's important tax information.

12 MS. MOCK:

13 Can we make that
14 adjustment tonight?

15 MAYOR JANAKOVIC:

16 No.

17 ATTORNEY BENJAMIN:

18 We have to do another
19 ten-day notice period before
20 amendments can be adopted, which would
21 take us past the December 31st
22 deadline to adopt the budget.

23 MS. MOCK:

24 This would be a January
25 adjustment.

1 ATTORNEY BENJAMIN:

2 Yeah.

3 MAYOR JANAKOVIC:

4 So Solicitor, we could
5 pass it tonight and amend it in
6 January?

7 ATTORNEY BENJAMIN:

8 We have to re-advertise.

9 MR. WILLIAMS:

10 We cannot pass this ---.

11 MAYOR JANAKOVIC:

12 Well, so what if you
13 have to advertise? I'm saying ---.

14 MS. STANTON:

15 I just have a question
16 for the solicitor.

17 Again, I brought it up
18 the last time during the public
19 hearing session of this, isn't the
20 speaker supposed to talk without back
21 and forth from counsel uninterrupted?

22 MAYOR JANAKOVIC:

23 If you so --- if you ---
24 he so chooses.

25 ATTORNEY BENJAMIN:

1 That's the goal. If he
2 doesn't have any objection to
3 answering a question though then ---.

4 MR. WILLIAMS:

5 Are you saying they can
6 pass the budget with these errors?

7 ATTORNEY BENJAMIN:

8 The budget has to be
9 balanced when it's passed. The
10 subtotals, you know, it's going to
11 have to be a matter of balancing the
12 degree of importance the subtotal has
13 as compared to the total in the
14 budget. This does need to be fixed.

15 MR. RITTER:

16 Yeah.

17 And I would say though
18 that the total, the grand total is
19 correct.

20 MR. VITOVICH:

21 So we're passing a
22 balanced budget.

23 ATTORNEY BENJAMIN:

24 So there is one line
25 item, with one number that is

1 incorrect.

2 MR. WILLIAMS:

3 No.

4 There's more than one.

5 You got the --- the ---.

6 ATTORNEY BENJAMIN:

7 Well, as far as
8 incorrect math or incorrect
9 application of the amendment that's
10 this line item we're talking about
11 with the police expenses.

12 MR. WILLIAMS:

13 That particular thing,
14 but you still haven't funded the point
15 stadium, okay, or the sewer fund.
16 That's required to meet the --- the
17 staffing.

18 ATTORNEY BENJAMIN:

19 That --- is that a wage
20 and salary ordinance issue or budget
21 issue?

22 MR. WILLIAMS:

23 It's a budget issue.

24 ATTORNEY BENJAMIN:

25 Okay.

1 Well, then we need to
2 get to those two. I didn't hear you.
3 We've gotten ---.

4 MR. WILLIAMS:

5 I just explained it.
6 Okay?

7 ATTORNEY BENJAMIN:

8 Where's the ---? I'm
9 looking at police equipment and
10 operating expenses.

11 What's the point
12 stadium?

13 MR. WILLIAMS:

14 The Point Stadium is
15 account 22. It's shorter
16 spreadsheets.

17 ATTORNEY BENJAMIN:

18 Where is this? Can you
19 help me get it?

20 MAYOR JANAKOVIC:

21 Which one are you
22 talking about? What sheet?

23 ATTORNEY BENJAMIN:

24 What page? What page?

25 MR. WILLIAMS:

1 I can find it.

2 That's the budget.

3 That's what the wage and salary is
4 calling for.

5 ATTORNEY BENJAMIN:

6 Okay.

7 So discrepancies between
8 the budget and the wage and salary
9 ordinance is at issue. I want to
10 distinguish between where you're
11 identifying discrepancies between two
12 different ordinances and where you're
13 identifying discrepancies within the
14 budget spreadsheet itself?

15 MR. WILLIAMS:

16 But I'm telling you that
17 budget spreadsheet does not have
18 sufficient funds as a --- to meet the
19 required appropriation.

20 ATTORNEY BENJAMIN:

21 Okay.

22 I understand.

23 MR. WILLIAMS:

24 You have another one in
25 here. Flip that over if you will.

1 Right there

2 (indicating).

3 This is in the sewer
4 upgrade fund. The budget, not the
5 wage and salary, funded \$20,000 when
6 it was required to be \$23,814.

7 ATTORNEY BENJAMIN:

8 Okay.

9 MR. WILLIAMS:

10 So that's budget issues.
11 That's not wage and salary.

12 ATTORNEY BENJAMIN:

13 Unless they're funded
14 from another source. I don't know the
15 answer.

16 MR. WILLIAMS:

17 They're not.

18 ATTORNEY BENJAMIN:

19 Is that another
20 situation where they're funded ---?

21 Okay.

22 Then we need to ask Mr.
23 Ritter about that.

24 MR. WILLIAMS:

25 Well, ask him.

1 ATTORNEY BENJAMIN:

2 Okay.

3 Can you relay that back
4 to Mr. Ritter so that he can address
5 that?

6 MR. WILLIAMS:

7 The Point Stadium has
8 nothing to do with sewer and neither
9 --- right?

10 ATTORNEY BENJAMIN:

11 There's a way to --- you
12 need to explain what you're talking
13 about for the benefit of everyone else
14 to understand so we can --- because
15 it ---.

16 MR. WILLIAMS:

17 Understand?

18 MR. RITTER:

19 No.

20 I didn't hear what you
21 were saying.

22 MR. WILLIAMS:

23 This is recreation,
24 Point Stadium. Right?

25 There's \$20,000 in here,

1 but city budget. Right?

2

3 (WHEREUPON, AN OFF RECORD DISCUSSION
4 WAS HELD.)

5

6

MR. RITTER:

7

Well, I'd have --- I

8

have to look at that. It depends on

9

how many hours that there were.

10

MR. WILLIAMS:

11

It's not going to change

12

because it's allocated to 480 hours

13

per week. It's where it was last

14

year.

15

MR. RITTER:

16

Yeah. But we're not

17

going to work people like that.

18

MR. WILLIAMS:

19

Well, then why'd you put

20

it in there that way?

21

MR. RITTER:

22

I didn't put it in there

23

that way. I listed the --- I --- all

24

we have are the salary ordinances at

25

their hourly rate. We don't have how

1 many hours they will work.

2 MR. WILLIAMS:

3 Well, how'd you come up
4 with a total figure for the budget
5 then?

6 MR. RITTER:

7 For the --- we came up
8 with \$30,000.

9 MR. WILLIAMS:

10 How did you figure ---
11 calculate that?

12 Show me how you come to
13 \$30,000?

14 MR. RITTER:

15 Well, I --- I don't have
16 that with me now. But it --- it's
17 basically the hours that people are
18 going to work and it comes out to
19 \$30,000.

20 MR. WILLIAMS:

21 I still don't buy that,
22 Councilor. If you don't want to talk
23 about it.

24 Take a look at what we
25 said, 480 hours.

1 All right?

2 That times 8.50 or 8.30
3 or whatever. And they did that to 480
4 hours, what it was last year.

5 MR. RITTER:

6 We were going to try to
7 reduce that this year.

8 MR. WILLIAMS:

9 Don't try.

10 If you're putting the
11 budget together, be realistic.

12 MR. RITTER:

13 We are being realistic.

14 MR. WILLIAMS:

15 I doubt that.

16 MAYOR JANAKOVIC:

17 All right.

18 MR. RITTER:

19 Well, that --- that's a
20 judgement call.

21 MR. WILLIAMS:

22 No, it's not a
23 judgement. I've been here a hell of a
24 lot longer than you.

25 All right?

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MR. RITTER:

It's a judgement.

MAYOR JANAKOVIC:

All right.

Is there anything else,
Mr. Williams?

MR. WILLIAMS:

Any questions? Answers?
Who is the city manager
tonight?

MAYOR JANAKOVIC:

City manager notified me
he's on vacation this week along with
our --- along with Nancy.

MS. STANTON:

So I have a question.

MR. WILLIAMS:

Well, that's amazing.

MS. STANTON:

Who's the acting city
manager?

MR. RITTER:

I am.

MS. STANTON:

Does --- should council

1 not be notified of who the acting city
2 manager is?

3 MAYOR JANAKOVIC:

4 So I was notified that
5 he was going on vacation. That's ---
6 that's the protocol that we've always
7 had in place.

8 MS. STANTON:

9 Well, you may have been
10 notified, but I don't think anybody
11 else was.

12 MAYOR JANAKOVIC:

13 He earned vacation. A
14 half the year.

15 ATTORNEY BENJAMIN:

16 This is a personnel
17 issue ---

18 MAYOR JANAKOVIC:

19 Yeah.

20 ATTORNEY BENJAMIN:

21 --- it should be
22 addressed in an executive session.

23 MAYOR JANAKOVIC:

24 Yes.

25 Thank you.

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MR. WILLIAMS:

It's amazing.

I want the city --- call city hall today, no one is in city manager's office. You won't see me until January, back with their administrative on the second --- the second. No economic development specialist until the second.

Yesterday when I looked at the budget, thanks to him, city manager's office is locked up. How can anyone look at that budget and attend the inspection when it's locked?

MAYOR JANAKOVIC:

That's a question for the city manager when he returns.

ATTORNEY BENJAMIN:

Were you able to access ---?

MS. STANTON:

We have an acting city manager.

MAYOR JANAKOVIC:

1 Yeah. Have an acting
2 city ---. You can ask him.

3 MS. MOCK:

4 It was done. He has his
5 typewriter

6 ATTORNEY BENJAMIN:

7 Now, were --- were you
8 able to eventually access it though,
9 Mr. Williams?

10 MR. WILLIAMS:

11 Through him.

12 ATTORNEY BENJAMIN:

13 Through Mr. Ritter, the
14 acting city manager?

15 MR. WILLIAMS:

16 But the average Joe that
17 wanted to look at that would not know
18 to go over to finance office.

19 ATTORNEY BENJAMIN:

20 They didn't have it ---
21 that you had it ---?

22 MR. WILLIAMS:

23 I'm sorry?

24 ATTORNEY BENJAMIN

25 So do you have a --- you

1 had it in the finance office as well?

2 MR. RITTER:

3 It was in --- just in
4 the city manager's office.

5 ATTORNEY BENJAMIN:

6 Okay.

7 So you had a copy of the
8 budget in the finance office?

9 MR. WILLIAMS:

10 No, he did not.

11 MR. RITTER:

12 Yeah, I had one in
13 there.

14 MR. WILLIAMS:

15 You did not. You took
16 me over there and ---.

17 MAYOR JANAKOVIC:

18 All right.

19 That's enough
20 squabbling. Bottom line is the city
21 manager is on vacation this week along
22 with the office manager next week.

23 ATTORNEY BENJAMIN:

24 Before --- before we
25 adjourn the public hearing, we would

1 ask if there's any further public
2 comment or comment otherwise, on Bills
3 32, 35 and 36?

4 MAYOR JANAKOVIC:

5 Of 2019.

6 ATTORNEY BENJAMIN:

7 Excuse me.

8 Yes. They're all of
9 2018. The first of which, Bill 32,
10 pertains to 2018 budget. The Bill 35
11 pertains to the 2019 budget. Bill 36
12 pertains to the wage and salary
13 ordinance.

14 I will comment relative
15 to the issue raised about the
16 part-time firefighters. I think this
17 was discussed after Mr. Williams
18 departed the December 12th meeting
19 that the part-time firefighters, as I
20 understand it, and please correct me
21 if I'm wrong, Mr. Ritter, were not
22 included in the wage and salary
23 ordinance because we don't --- the
24 city does not have yet, any part-time
25 firefighters.

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MR. RITTER:

No.

ATTORNEY BENJAMIN:

It needs to negotiate that with --- the Firefighter's Association relative to their collective bargaining obligations.

MR. RITTER:

Yes.

ATTORNEY BENJAMIN:

The hope is that there would be some, and so it was budgeted as I believe you explained at the last meeting?

MR. RITTER:

Yes.

ATTORNEY BENJAMIN:

But because they do not exist yet and would first need to go through bargaining, did not include them at this time.

MR. RITTER:

We're not sure what the hourly rates would be.

ATTORNEY BENJAMIN:

1 Right.

2 MR. WILLIAMS:

3 Well, then the city
4 manager should not have stated that we
5 had four, part-time firefighters.

6 MAYOR JANAKOVIC:

7 That's what he was
8 projecting.

9 ATTORNEY BENJAMIN:

10 Projecting I guess.

11 That was what --- I
12 wanted to be --- the benefit of Mr.
13 Williams hearing that explanation
14 since he wasn't here at that point and
15 time which it was offered at the last
16 meeting.

17 MAYOR JANAKOVIC:

18 Do we have any other
19 comments before we adjourn the public
20 hearing?

21 The public hearing is
22 adjourned.

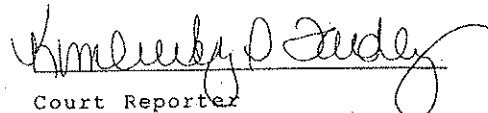
23 HEARING CONCLUDED AT 5:33 P.M.

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CERTIFICATE

1
2
3 I hereby certify, as the stenographic
4 reporter, that the foregoing proceedings were
5 taken stenographically by me, and thereafter
6 reduced to typewriting by me or under my
7 direction; and that this transcript is a true
8 and accurate record to the best of my ability.
9 Dated the 18th day of January, 2019

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11 
12 Court Reporter
Kimberly I. Faidley
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