

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9835

Submitted by Mayor Frank J. Janakovic

April 13, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY,  
PENNSYLVANIA APPOINTING MELISSA KOMAR AS INTERIM CITY MANAGER

WHEREAS, on the December 9, 2015 City Council Meeting Agenda, a Resolution accepting the resignation of City Manager Carlos Gunby; and

WHEREAS, Melissa Komar was appointed as City Manager by Resolution of City Council on December 9, 2015; and

WHEREAS, Cambria County Court of Common Pleas issued a Decision on March 30, 2016 declaring the action of City Council appointing Melissa Komar as City Manager void ab initio.

WHEREAS, the City of Johnstown wishes to protect the validity of all actions in which Melissa Komar acted as City Manager.

NOW, THEREFORE, be it resolved that Melissa Komar is appointed as Interim City Manager with an effective date of December 9, 2015, and the salary and monthly automobile allowance provided in the action of City Council of December 9, 2015 shall remain in effect.

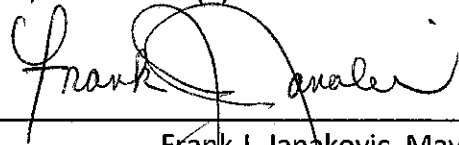
ADOPTED:

April 20, 2016

By the following vote:

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

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



Frank J. Janakovic, Mayor



Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9835 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Melissa Komar, Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9836

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO APPLY & SUBMIT AS A SUB GRANTEE OF THE LEAD-BASED PAINT HAZARD CONTROL AND HEALTHY HOMES GRANT; TO THE PENNSYLVANIA DEPARTMENT OF HEALTH FOR THE AMOUNT OF (UP TO AND INCLUDING) FOUR HUNDRED FIFTY-THOUSAND (\$450,000) DOLLARS. THE PENNSYLVANIA DEPARTMENT OF HEALTH WILL APPLY TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THESE FUNDS.

WHEREAS, The City of Johnstown is desirous of obtaining funds from The Pennsylvania Department of Health in the amount of \$450,000.

WHEREAS, The City of Johnstown will be upholding the Title X of the Housing and Community Development Act of 1992, known as the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. Section 4851, provides funds to be awarded to states and local governments for the inspection and treatment of lead-based paint hazards in housing that is not federally owned, federally assisted, or public housing. The purpose of Title X is to implement, on a priority basis, education to contractors who perform lead-based paint abatement, evaluation and reduction of the lead-based paint hazards and the threat such hazards pose for childhood lead poisoning.

BE IT FURTHER RESOLVED, that the City of Johnstown will be required to provide match for this grant. The match requirement is Twenty-Five Percent (25%) equal to One-Hundred Twelve Thousand Five-Hundred Dollars (\$112,500). Matching funds will be provided through housing rehabilitation using Community Development Block Grant Funds.

BE IT FURTHER RESOLVED, that the City of Johnstown will reimburse The Pennsylvania Department of Health, the Federal Government's share of any expenditures found by HUD or The Department of Health to be ineligible.

ADOPTED:

April 20, 2016

By the following vote:

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

Mr. Johncola. (7)

Nays: None (0)

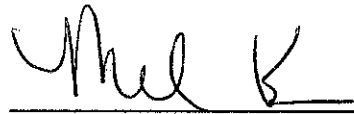
/s/

Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9836** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

A handwritten signature in black ink, appearing to read "Mel K", written over a horizontal line.

Melissa Komar, Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9837

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH EJ USA, INC. AWARDED CONTRACT 2016-11 FOR THE PROCUREMENT OF VIEWPORT FRAME AND COVER ASSEMBLIES REQUIRED FOR THE TRANSFER OF PROPERTIES WITHIN THE CITY OF JOHNSTOWN.

WHEREAS, the EADS Group Inc. on behalf of the City of Johnstown advertised and accepted bids for the procurement of viewport frame and cover assemblies required for the transfer of properties within the City of Johnstown, and

WHEREAS, Bids were advertised in a paper of general circulation and the bids were opened at 10:00 am on April 4, 2016, and

WHEREAS, EJ USA, Inc. is the apparent low bidder for Contract 2016-11, with a Total Initial Amount to be Awarded of \$8,400.00.

NOW THEREFORE BE IT RESOLVED, CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO AWARD CONTRACT NO. 2016-11 TO EJ USA, INC. FOR THE PROCUREMENT OF VIEWPORT FRAME AND COVER ASSEMBLIES REQUIRED FOR THE TRANSFER OF PROPERTIES WITHIN THE CITY OF JOHNSTOWN.

ADOPTED:

April 20, 2016

By the following vote:

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

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

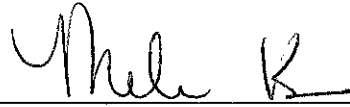
/s/

Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resoluton No. **9837** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Melissa Komar", written over a horizontal line.

Melissa Komar, Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9838

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN AGREEMENT WITH ALLEGHENY RESTORATION INC. AWARDDING CONTRACT 2016-09 FOR THE CONSTRUCTION OF THE MAIN STREET EAST PARKING GARAGE REHABILITATION PHASE PROJECT II IN THE CITY OF JOHNSTOWN.

WHEREAS, the EADS Group Inc. on behalf of the City of Johnstown advertised and accepted bids for the construction of the Main Street East Parking Garage Rehabilitation Phase II Project within the City of Johnstown, and

WHEREAS, Bids were advertised in a paper of general circulation and the bids were opened at 10:00 am on March 16, 2016, and

WHEREAS, Allegheny Restoration Inc. is the apparent low bidder for Contract 2016-09, with a Total Base Bid Amount to be Awarded of \$886,924.20.

NOW THEREFORE BE IT RESOLVED, CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO AWARD CONTRACT NO. 2016-09 TO ALLEGHENY RESTORATION INC. FOR THE CONSTRUCTION OF THE MAIN STREET EAST PARKING GARAGE REHABILITATION PHASE II PROJECT WITHIN THE CITY OF JOHNSTOWN.

ADOPTED:

April 20, 2016

By the following vote:

Yeas: Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock,

Mr. Vitovich. (5)

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

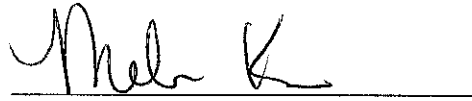
/s/

Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9838** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

A handwritten signature in cursive script, appearing to read "Mel K", is written above a horizontal line.

Melissa Komar, Interim City Manager

**CITY OF JOHNSTOWN, PENNSYLVANIA**  
**RESOLUTION NO. 9839**

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SIGN, ON BEHALF OF THE CITY, AN AGREEMENT WITH THE EADS GROUP, INC TO PROVIDE COMMUNITY PLANNING, ARCHITECTURAL AND ENGINEERING SERVICES AS REQUIRED AND ASSIGNED BY THE CITY OF JOHNSTOWN TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) BEGINNING MAY 1, 2016 ENDING ON MAY 1, 2018.

WHEREAS, the DCED is responsible for a wide variety of programs and activities which require community planning, architectural and engineering services, including demolition and certain housing rehabilitation activities under the Community Development Block Grant (CDBG) and the Home Investment Partnership Program (HOME); and

WHEREAS, the DCED has conducted a Request for Proposal for Community Planning, Architectural and Engineering Services in accordance with the procurement requirements of the Department of Housing and Urban Development, which yield three submitted proposals; and

WHEREAS, the DCED staff reviewed each proposal to determine who should provide the professional services to DCED.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the Interim City Manager is hereby authorized and directed to execute, on behalf of the City of Johnstown, a contract with The EADS Group, Inc. for Community Planning, Architectural and Engineering Services as requested by the DCED Director.

ADOPTED:

April 20, 2016

By the following Vote:

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

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

\_\_\_\_\_  
/s/  
Frank Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9839 as the same by the City Council of the City of Johnstown, Pennsylvania.

  
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Melissa Komar, Interim City Manager



CITY OF JOHNSTOWN, PENNSYLVANIA  
RESOLUTION NO. 9840  
Submitted by Mayor Frank J. Janakovic

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA TO APPEAL THE DECISION OF THE COURT OF COMMON PLEAS IN THE CASE OF JOHN JACK WILLIAMS AND CHARLENE STANTON V. CITY OF JOHNSTOWN, ET AL., CASE NO. 2016-0332

WHEREAS, Petitioners, John Jack Williams, Councilman, and Charlene Stanton, Councilwoman, City of Johnstown, filed the above-referenced Action Mandamus challenging the decision of the majority of City Council to hire Melissa Komar as City Manager for a one-year term.

WHEREAS, on March 30, 2016, the Petition for Writ of Mandamus was Granted in Part and Denied in Part as Follows:

- 1.) The Petition is granted in that Johnstown City Council hiring of Melissa Komar as City Manager and the City of Johnstown's Contract with Melissa Komar for the position of City Manager is declared void ab initio.
- 2.) The Petition is DENIED as to all other matters.
- 3.) All parties shall bear their own costs of this litigation.

WHEREAS, the majority of City Council believes that the action of the Cambria County Court of Common Pleas declaring the hiring of Melissa Komar as City Manager "void ab initio" could jeopardize the actions of the City of Johnstown since December 9, 2015 to the present; and

WHEREAS, the majority of City Council believes that the Court erred in finding this case was appropriate for a mandamus action;

NOW, THEREFORE, BE IT RESOLVED, that the majority of City Council authorizes the Solicitor to file an appeal with the Commonwealth Court of Pennsylvania to the Decision of the Cambria County Court in Case No. 2016-0332.

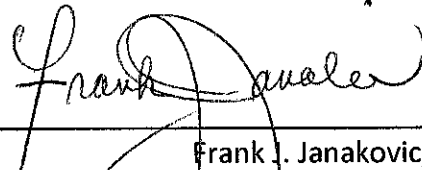
ADOPTED:

April 20, 2016

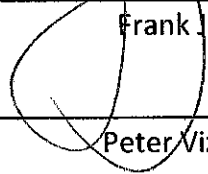
By the following vote:

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

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



Frank J. Janakovic, Mayor



Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9840** as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



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Melissa Komar, Interim City Manager

CITY OF JOHNSTOWN  
PENNSYLVANIA

RESOLUTION NO. 9841

A RESOLUTION OF THE CITY OF JOHNSTOWN PENNSYLVANIA IN SUPPORT OF  
SENATE BILL 535 AND HOUSE BILL 71.

WHEREAS, the City Council of Johnstown is always looking for ways to improve public safety;  
and

WHEREAS, the City of Johnstown has established speed limits; and

WHEREAS, the City of Johnstown Police Department is always looking to improve the  
enforcement of public safety ordinances; and

WHEREAS, every state in the United States allows local police departments to use radar; and

WHEREAS, the passage of Senate Bill 535 and House Bill 71 will allow local police  
departments in Pennsylvania to use radar as an ordinance enforcement tool.

NOW, THEREFORE, BE IT RESOLVED, that the City of Johnstown is in support of the  
passage of Senate Bill 5353 and House Bill 71 to enable the Johnstown Police Department to be  
more effective in their operations.

ADOPTED:

April 20, 2016

By the following vote:

Yeas: Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams,  
Mayor Janakovic. (7)

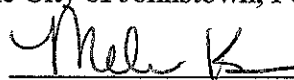
Nays: None (0)

/s/

Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST: I do hereby certify that the foregoing is a true and correct copy of Resolution No.  
9841 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Melissa Komar, Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9842

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. 33 TO THE EADS GROUP, INC. FOR THE ENGINEERING SERVICES RELATED TO PREPARATION OF CONTRACT DOCUMENTS TO BID AND INSPECT THE CENTRAL PARK ELECTRICAL UPGRADES PROJECT.

WHEREAS, City Council of the City of Johnstown has entered into an agreement with the EADS Group, Inc. for professional services dated April 10, 2012; and

WHEREAS, electrical upgrades are necessary at Central Park; and

WHEREAS, it is the judgement of City Council that the Engineers be authorized to pursue engineering services related to preparation of contract documents to bid and inspect the Central Park Electrical Upgrades Project for a total estimate of compensation for services of \$10,000.00.

NOW THEREFORE BE IT RESOLVED, CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY FOR THE EXECUTION OF TASK ORDER NO. 33 TO THE EADS GROUP, INC. FOR ENGINEERING SERVICES RELATED TO PREPARATION OF CONTRACT DOCUMENTS TO BID AND INSPECT THE CENTRAL PARK ELECTRICAL UPGRADES PROJECT.

ADOPTED:

April 20, 2016

By the following vote:

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

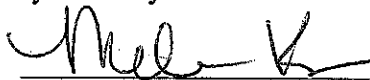
Nays: Mrs. Stanton, Mr. Williams. (2)

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/s/

Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST: I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9842 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

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Melissa Komar, Interim City Manager