

_____ Date: _____
The Beard Legal Group-City Solicitors

RESOLUTION NO. 10088

For consideration on April 11, 2018

Submitted by Councilpersons Charlene Stanton & Jack Williams

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.

WHEREAS, the City of Johnstown has upgraded and renovated the Point Stadium over a period beginning on/or about 2006, and

WHEREAS, the continuing operating expenses in maintaining Johnstown's Point Stadium has not generated the desired and required revenues as a "stand alone" City of Johnstown asset, and

WHEREAS, the City of Johnstown does not have the financial resources to sustain Point Stadium without generating revenue from and by the scheduling of events; and

WHEREAS, The City of Johnstown does not have the expertise and qualified staff to promote the Point Stadium in the competitive promotional community as other similar facilities do; and

WHEREAS, The Council desires to seek the assistance of the Commonwealth of Pennsylvania's Department of Community and Economic Development (DCED) direct involvement in developing "Request for Proposals" by DCED Staff with knowledge and expertise in such matters, and.

WHEREAS, the Council would seek possible Agreement with any selected parties, firms, companies and/or LLC, which would include the continuation of any existing and executed "Rental Use Agreements" with (1) Bishop McCort High School activities as defined in said current "Rental Use Agreements", and (2) the Annual AAA Baseball Tournament, and

WHEREAS, all (7) members of City Council's, the City Solicitor, a representative of the Commonwealth of Pennsylvania's Department of Community and Economic Development (DCED) who assisted in the direct involvement in developing "Request for Proposals" will review all submissions to determine if submitted proposals are in the best interest, both financial and for residents and users of Johnstown's Point Stadium.

PASSED FINALLY IN COUNCIL:

June 13, 2018

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

Rev. King. (7)

Nays: None (0)

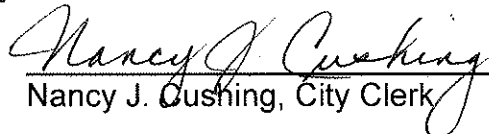


Frank J. Janakovic, Mayor

Marie Mock, Deputy Mayor

ATTEST: Nancy Cushing, City Clerk

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10088** the same was passed finally by City Council and signed by the Mayor and/or Deputy Mayor of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA
RESOLUTION NO. 10089

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A SALES AGREEMENT FOR THE PURCHASE OF CERTAIN PROPERTY REFERENCED HEREIN AS 722 BARCLAY STREET, FROM FIRST SUMMIT BANK IN AN AMOUNT NOT TO EXCEED \$6,000.00.

WHEREAS, the City of Johnstown has undertaken a project involving the construction and rehabilitation of its inner city sewer system (hereinafter "City Sewer Rehabilitation Project"); and

WHEREAS, in connection with work to be performed on the City Sewer Rehabilitation Project the City has encountered a vacant property at Tax Map No. 76-008-301.00, Dist. No. 76, Control No. 864, and known as 722 Barclay Street, Johnstown, Pennsylvania for which the sewer work to be performed by the City will cause the City to incur construction cost estimated at \$50,000, to ultimately be paid out of the City's PENNVEST loan funding and local sewer funds; and

WHEREAS, the City will incur significant savings and avoid the incurrence of further indebtedness for its sewer construction project by purchasing and ultimately demolishing the property in lieu of completing the City Sewer Rehabilitation Project work for same; and

WHEREAS, the property is currently vacant, owned by First Summit Bank, and confirmed as being available for sale for an amount not to exceed \$6,000.00, inclusive of its adjoining lot at Tax Map Parcel No. 76-008-302.00, Dist. No. 76, Control No. 815; and

WHEREAS, the City imposes monthly sewer rental charges for the use, whether or direct or indirect of the City's sewage collection system; and

WHEREAS, the City Council hereby determines that the expense of acquiring the property, arises in connection with the City Sewer Rehabilitation Project and ultimately reduces costs pertaining to that project and avoid the incurrence of a certain amount of further indebtedness for the sewer construction costs that would otherwise be required; and

WHEREAS, the ultimate purchase of the property and deed transfer shall at all times remain contingent upon receipt of satisfactory title search results and confirmation of clear title to the property;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City of Johnstown hereby authorizes the Interim City Manager execute an Agreement of Sale for the purchase of a vacant property and adjoining lot located at 722 Barclay Street, Johnstown, PA from First Summit Bank, in an amount not to exceed \$6,000.00, contingent upon a satisfactory title search, and confirmation of clear title.


ADOPTED:

June 13, 2018

By the following Vote:

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

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



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10089** as the same by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER
TO AUCTION OFF THE FOLLOWING PUBLIC WORKS VEHICLE AND TRUCK BED:

1999 GMC 3500 WITH PLOW VIN# IGTHK34JOXFO10665 MILES: 126,435

MOTOR: 454 PLATE: 2036-MG

*2015 CHEVY 3500 TRUCK BED ONLY

WHEREAS, THE City of Johnstown desires to auction off the above vehicle and truck bed listed; and

WHEREAS, the City Council desires to auction off the above vehicle and truck bed listed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, Pennsylvania that the Interim City Manager is hereby authorized and directed to auction off the above Public Works vehicle and truck bed listed.

ADOPTED:

June 13, 2018

By the following vote:

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

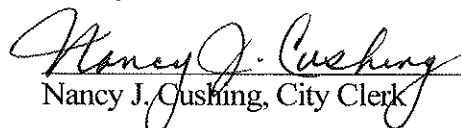
Nays: None (0)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10090 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10091

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS FROM SALE OF PROPERTY & SUPPLIES ACCOUNT OF SCRAP METAL SALVAGE FROM THE PW HIGHWAY DEPT. TO BE TRANSFERRED INTO THE PUBLIC WORKS HIGHWAY VEHICLE MAINTENANCE/REPAIR ACCOUNT DETAILED BELOW:

<u>GENERAL FUND</u>				ADJ BUDGET
<u>DEPARTMENT</u>	<u>TR. TO LINE ITEM</u>	<u>TR FROM LINE ITEM</u>	<u>AMOUNT</u>	<u>BALANCE</u>
PW Highway Vehicle Rep/Maint	01-440-37-072-00	01-389-38-021-00	\$4,062.40	\$2,969.90

ADOPTED:


June 13, 2018

By the following vote~

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

Nays: None (0)

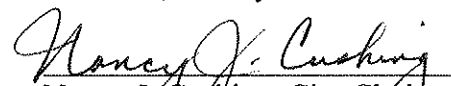
Abstain: Mr. Williams (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10091** as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA
RESOLUTION NO. 10092

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE RETENTION OF AND HEREBY RETAINING WILLIAM G. BARBIN, ESQUIRE TO REPRESENT ALL NAMED RESPONDENTS OTHER THAN THE CITY SOLICITOR'S OFFICE IN THE MANDAMUS ACTION FILED IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA AT CIVIL ACTION NO. 2018-2294, AND FURTHER AUTHORIZING THE CITY MANAGER, MAYOR, AND ATTORNEY BARBIN TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE THE LEGAL DEFENSE OF SUCH RESPONDENTS DURING ANY PERIOD IN WHICH A DETERMINATION OF INSURANCE COVERAGE FOR THE CITY REMAINS PENDING, AND FOR ANY ADDITIONAL PERIOD OF TIME DEEMED APPROPRIATE BY THE CITY AND/OR ITS INSURANCE CARRIER THEREAFTER.

WHEREAS, the City has identified a need for separate legal counsel in relation to a Mandamus Action captioned Jack Williams and Charlene Stanton v. Johnstown City Council Members Frank Janakovic, Mayor, Richard Britt, Councilman, Sylvia King, Councilperson, Marie Mock, Councilperson, David Vitovich, Councilman and The Beard Legal Group-City Solicitors and City of Johnstown, Cambria County, Pennsylvania A Municipal Government, filed in the Court of Common Pleas of Cambria County, Pennsylvania at Civil Action No. 2018-2294; and

WHEREAS, the City Council is currently awaiting a determination of any applicable insurance coverage for the defense of the Respondents identified in this matter and any corresponding obligation with respect to the counsel assigned; and

WHEREAS, it is necessary for the City and above-referenced Respondents to retain counsel during the pendency of that determination and potentially for further assignment in connection with that determination; and

WHEREAS, the City wishes to retain William G. Barbin, Esquire, for purposes of providing defense to all named respondents other than the City Solicitor's office in the above-referenced Mandamus Action filed at Civil Action No. 2018-2294, at a rate of \$150 per hour;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that William G. Barbin, Esquire is hereby retained for purposes of providing a defense to all named respondents other than the City Solicitor's office identified within the Mandamus Action of Williams and Stanton v. Johnstown City Council Members Frank Janakovic, Mayor, Richard Britt, Councilman, Sylvia King, Councilperson, Marie Mock, Councilperson, David Vitovich, Councilman and The Beard Legal Group-City Solicitors and City of Johnstown, Cambria County, Pennsylvania A Municipal Government, Civil

Action No. 2018-2294, Cambria County Court of Common Pleas, and further authorizing the City Manager, Mayor, and Attorney Barbin to take all actions necessary to effectuate a legal defense of such Respondents, including, but not limited to, authorization for Attorney Barbin to enter an appearance on behalf of the identified respondents. This authorization and retention shall applicable shall for the period in which a determination of insurance coverage for the City's defense of this matter remains pending, and for any additional period of time thereafter, in the event no insurance coverage is provided, or as otherwise deemed appropriate by any applicable insurance carrier providing coverage for the defense of this action.

ADOPTED:


June 13, 2018

By the following Vote:

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

Nays: None (0)

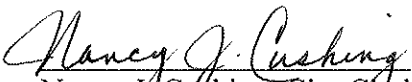
Abstain: Mr. Williams, Mrs. Stanton. (2)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10092** as the same by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10093

A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER AND CITY SOLICITOR TO EXECUTE THE ATTACHED SETTLEMENT AGREEMENT WITH EVERYTHING ICE PROPERTIES, INC. TO RESOLVE A TAX ASSESSMENT APPEAL REGARDING PROPERTY LOCATED AT 850 HORNER STREET JOHNSTOWN, PA 15902, AND TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

WHEREAS, Everything Ice Properties, Inc., filed a Tax Assessment Appeal in the Court of Common Pleas of Cambria County at Docket No. 2017-4381, challenging the estimated fair market value of \$275,000.00 assigned to its property located at 850 Horner Street, Johnstown, PA 15902: and

WHEREAS, after the parties received Everything Ice Properties, Inc's appraisal, the parties, to include the City, the Cambria County Tax Assessment Office and the Greater Johnstown School District have engaged in settlement discussions with Everything Ice Properties, Inc., and identified a value on the property of \$195,000 as a reasonable value upon which to resolve the matter; and

WHEREAS, the proposed settlement agreement is attached hereto as Attachment A;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA TO AUTHORIZE THE INTERIM CITY MANAGER AND CITY SOLICITOR TO EXECUTE AND TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE THE ATTACHED SETTLEMENT AGREEMENT TO RESOLVE THE TAX ASSESSMENT APPEAL ADDRESSING THE LITIGATION FILED BY FOR EVERYTHING ICE PROPERTIES, INC., IN RELATION TO PROPERTY LOCATED AT 850 HORNER JOHNSTOWN, PA 15902 FOR A FAIR MARKET VALUE OF \$195,000.

ADOPTED:

June 13, 2018

By the following vote:

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

Nays: Mr. Williams. (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10093** as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

**CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 10094**

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, ACCEPTING THE PROPOSAL OF SARGENT'S GROUP, INC. FOR THE NAMING RIGHTS FOR THE POINT STADIUM AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO DEVELOP A FORMAL NAMING RIGHTS AGREEMENT IN FURTHERANCE OF SAME.

WHEREAS, the City has previously advertised for proposals for naming rights to the Point Stadium, and

WHEREAS, only one proposal was submitted, and

WHEREAS, the attached proposal ensures that the name will continue to contain the words Point and Stadium, that signage will be maintained as presented in the proposal, and, that other advertising that is not in direct competition with their business purpose will be permitted; and

WHEREAS, Sargent's Group, Inc. has proposed to pay amount of \$15,000 per year, for a term of five (5) years, with an option for an additional a five year agreement paid at a rate of \$20,000 per year, as reflected in the attached proposal,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the attached Proposal of Sargent's Group. Inc. is hereby accepted contingent upon execution of a naming rights agreement satisfactory to both parties, and the City Manager and City Solicitor are hereby directed to develop a formal naming rights in furtherance of the acceptance of this proposal.

ADOPTED:

June 13, 2018

By the following Vote:

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

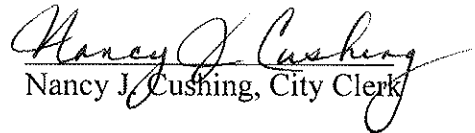
Nays: Mr. Williams. (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10094** as the same by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PA
RESOLUTION NO. 10095

A RESOLUTION OF THE GOVERNING BOARD OF CLIENT, COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF LOCAL TAXES FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES.

WHEREAS, the Local Tax Enabling Act ("LTEA"), authorizes certain political subdivisions, including CITY OF JOHNSTOWN, to provide for the creation of such bureaus or the appointment and compensation of such officers, clerks, collectors and other assistants and employees as may be deemed necessary for the assessment and collection of taxes imposed under the authority of that Act; and

WHEREAS, CITY OF JOHNSTOWN, has entered into contractual agreement with BERKHEIMER of Bangor, Pennsylvania, whereby and whereunder CITY OF JOHNSTOWN appointed Berkheimer to collect **certain local taxes**; and

WHEREAS, the LTEA specifically mandates that any information gained by the appointed tax officer, his agents or by any other official or agent of the taxing district, as a result of any declarations, returns, investigations, hearings or verifications required or authorized by the taxing municipality's ordinance or resolution, be kept confidential, except for official purposes; and

WHEREAS, any person who divulges any information which is confidential under the provisions of any ordinance or resolution, upon conviction may be subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and

WHEREAS, Berkheimer requires passage of a resolution by the governing body of CITY OF JOHNSTOWN, specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information;

NOW, THEREFORE, BE IT RESOLVED that:

1. CITY OF JOHNSTOWN hereby **appoints** the Finance Director and Accounting Assistant as **its authorized representatives to make requests** upon and receive any and all tax information and records **from Berkheimer**, relative to the collection of taxes for CITY OF JOHNSTOWN, as desired and deemed necessary by CITY OF JOHNSTOWN, to be used for official purposes only; and

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the CITY OF JOHNSTOWN, upon request, to the Finance Director and Accounting Assistant as the authorized contact representatives for it.

3. CITY OF JOHNSTOWN hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.

RESOLVED, ENACTED AND ADOPTED at a meeting held on the 13th day of June, 2018.

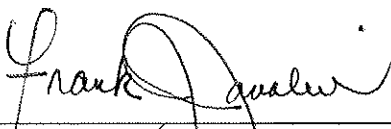
ADOPTED:

June 13, 2018

By the following vote

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

Nays: None (0)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10095 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10096

A RESOLUTION, of the City Council of the City of Johnstown, Pennsylvania, approving the FY 2018 Annual Action Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs applications.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the prevention or elimination of slums or urban blight, or activities which will benefit low- and moderate-income persons, or other urgent community development needs; and

WHEREAS, under the HOME Investment Partnerships Program created by the National Affordable Housing Act of 1990 (NAHA) and amended by the Housing and Community Development Act of 1992, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to participating jurisdictions to expand the supply of decent, safe, sanitary, and affordable housing; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the City of Johnstown that under Fiscal Year 2018, the City is eligible to apply for an entitlement grant under the Community Development Block Grant (CDBG) Program in the amount of \$1,248,615 and \$250,582 under the HOME Investment Partnerships Program (HOME); and

WHEREAS, in addition to the entitlement funds, the City expects to receive approximately \$50,000 in CDBG program income; and

WHEREAS, the City of Johnstown's Department of Economic and Community Development has prepared a FY 2018 Annual Action Plan which proposes how the entitlement grant funds will be expended to address the housing and community development needs identified in the City's Five Year Consolidated Plan; and

WHEREAS, a draft of the FY 2018 Annual Action Plan was on public display from Monday, May 14, 2018 through Tuesday, June 12, 2018, and the City held a series of public hearings on the said Plan and the comments of various agencies, groups, and residents were taken into consideration in the preparation of the final document.

NOW, THEREFORE, be it resolved by the City Council of the City of Johnstown, Cambria County, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

SECTION 1. That the FY 2018 Annual Action Plan for the FY 2018 CDBG and HOME Programs are hereby in all respects APPROVED.

SECTION 2. That the City is COGNIZANT of the conditions that are imposed in the undertaking and carrying out of the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs with Federal financial assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin, and (c) other assurances as set forth under the certifications.

SECTION 3. That the Mayor or his designee, on behalf of the City of Johnstown, Pennsylvania, is AUTHORIZED to file an Application for financial assistance with the U.S. Department of Housing and Urban Development, which has indicated its willingness to make available funds to carry out the CDBG Program in the amount of \$1,248,615; and the HOME Program in the amount of \$250,582; and is further AUTHORIZED to act as the representative of the City of Johnstown to sign any and all documents in regard to these programs.

SECTION 4. That the Mayor or his designee, on behalf of the City of Johnstown, Pennsylvania, is AUTHORIZED to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended; and any other supplemental or revised data which the U.S. Department of Housing and Urban Development may request in review of the City's Application.


ADOPTED:

June 13, 2018

By the following vote:

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

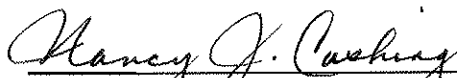
Nays: Mr. Williams. (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10096 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA
RESOLUTION NO. 10097

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING AND DIRECTING THE CITY MANAGER AND CHIEF OF POLICE TO SIGN AN AGREEMENT and MEMORANDUM OF UNDERSTANDING, RESPECTIVELY WITH THE CAMBRIA COUNTY SPECIAL EMERGENCY RESPONSE TEAM ("CAMBRIA COUNTY SERT") FOR THE CITY OF JOHNSTOWN TO ACT AS A PARTICIPATING AGENCY FURNISHING LAW ENFORCEMENT MEMBERS FOR SERT TEAM ASSISTANCE TO LOCAL POLICE AND TO RECEIVE SPECIALIZED SERT TRAINING.

WHEREAS, the Cambria County SERT is a Team with specially trained police officers certified according to the standards of the National Tactical Officers Association ("NTOA") of the participating local agencies and emergency personnel who will respond to incidents where special weapons or tactics are needed to assist local police in dealing with incidents beyond their normal training; and

WHEREAS, arrangements with the SERT Team provide for the local agency's officers to receive the specialized training and certification and to provide assistance on the SERT Team callouts when manpower is available;

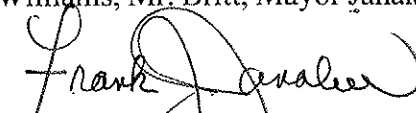
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City Manager and Chief of Police, respectively, are authorized and directed to execute, on behalf of the City of Johnstown Cambria County SERT Agreement and Memorandum of Understanding with the Cambria County SERT Team effective as of June 13, 2018.

ADOPTED:

June 13, 2018

By the following Vote:

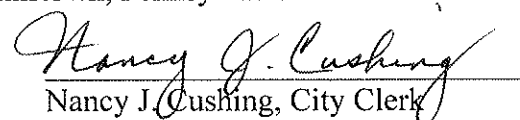
Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Williams, Mr. Britt, Mayor Janakovic,
Rev. King. (7)
Nays: None (0)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10097 as the same by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

**CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 10098**

A RESOLUTION, OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA APPROVING THE AMENDMENTS TO THE FY 2015 AND FY 2017 CDBG PROGRAMS.

WHEREAS, the City of Johnstown, Pennsylvania is a recipient of grant funds under the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs administered by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the City of Johnstown had previously approved budgets and Annual Action Plans for the FY 2015 and FY 2017 CDBG Programs; and

WHEREAS, HUD permits grant recipients to revise and amend their previous budgets and Annual Action Plans; and

WHEREAS, in accordance with the Federal Regulations governing the CDBG Program, certain changes and revisions to the Annual Action Plans may be considered a substantial amendment as outlined in the City of Johnstown's Citizen Participation Plan; and

WHEREAS, it has been determined that the proposed changes and revisions to the FY 2015 and FY 2017 CDBG Program are a substantial amendment in accordance with the City's Citizen Participation Plan.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Johnstown, Cambria County, Pennsylvania, and it is hereby resolved by the authority of the same, as follows:

SECTION 1. The amendment to the FY 2015 and FY 2017 Annual Action Plans are approved, which include the following:

- **IDIS # 1059 CD-15-13 Roxbury School Acquisition** – delete this project/activity in its entirety and reallocate a total of \$50,000.00 to a new project/activity.
- **IDIS # 1091 CD-17-01 Owner-Occupied Housing Rehabilitation** – increase the line item budget amount by \$50,000.00 for a new budget amount of \$250,000.00.
- **IDIS # 1085 CD-17-06 Public Service – Volunteer Rehabilitation – World Changers** – delete this project/activity in its entirety and reallocate a total of \$15,000.00 to a new project/activity.

- **CD-17-06 Public Service – Learning Lamp – After School Outreach Program** – create a new activity under Public Service to be used to fund Learning Lamp – After School Outreach program. This will be funded from FY 2017 CDBG funds in the amount of \$15,000.00.

SECTION 2. The Mayor is hereby authorized to sign and submit the amended FY 2017 Annual Action Plan to the U.S. Department of Housing and Urban Development.

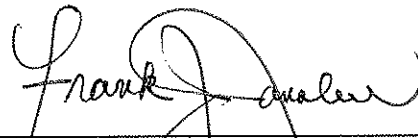
ADOPTED:

June 13, 2018

By the following vote:

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

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

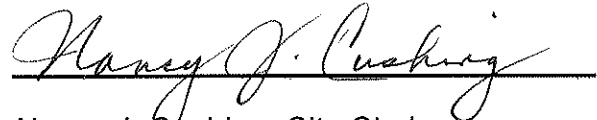


Frank J. Janakovic, Mayor

Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the preceding is a true and correct copy of Resolution No. **10098** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10099

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE INTERIM CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE SOUTHERN ALLEGHENIES PLANNING & DEVELOPMENT COMMISSION (SAPDC) FOR DESIGN AND ENGINEERING SERVICES FOR THE PROPOSED INCLINED PLANE PARK IN THE AMOUNT OF \$30,000.

WHEREAS, the City Council of Johnstown previously offered approval of the Inclined Plane Riverside Park Project in April, and

WHEREAS, in May the Vision 2025 coordinated a public design charrette to develop a conceptual design for the ramps, and

WHEREAS, City representatives and recreational enthusiasts participated in this charrette, and

WHEREAS, this project is being coordinated with other river access projects, and

WHEREAS, the US Army Corps of Engineers is currently conducting river planning efforts that will allow more access to the rivers, and

WHEREAS, the proposed park is also aligned with Cambria County Conservation and Recreation Authority's Johnstown Urban Connectivity Study, a \$200,000 planning project for hiking, biking and recreation assets throughout the City.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZES THE INTERIM CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE SOUTHERN ALLEGHENIES PLANNING & DEVELOPMENT COMMISSION (SAPDC) FOR DESIGN AND ENGINEERING SERVICES FOR THE PROPOSED INCLINED PLANE PARK IN THE AMOUNT OF \$30,000.

ADOPTED:

June 13, 2018

By the following vote:

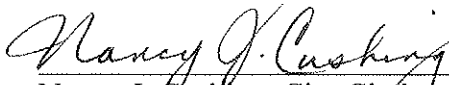
Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Rev. King, Mrs. Mock, Mrs. Stanton. (6)

Nays: Mr. Williams. (1)


Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I DO HERE BY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF Resolution No. **10099** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.


Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA
RESOLUTION NO. 10100

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT, BY AUTHORITY OF CITY COUNCIL, WITH CURTIS DAVIS FOR CONSULTING SERVICES FROM JULY 1, 2018 THROUGH SEPTEMBER 30, 2018 AT A RATE OF \$50.00 PER HOUR, WITH A TOTAL FEE NOT TO EXCEED \$5,000.

WHEREAS, the City expects to hire a new City Manager on or before June 30, 2018; and

WHEREAS, City Council believes that Mr. Curtis Davis will be able to provide valuable input and guidance to any new City Manager that is hired and wishes to ensure that such opportunity remains available within the first few months in which any new City Manager has been hired; and

WHEREAS, Mr. Davis is willing to provide further guidance and consulting services to any newly hired City Manager at a rate of \$50.00 per hour; and

WHEREAS, the City will limit the period of time in which the consulting services will be provided to period of July 1, 2018 through September 30, 2018 and will likewise require that any such consulting fees charged by Mr. Davis cannot exceed a total of \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, hereby authorizes the Mayor, by authority of City Council, to execute an agreement for consulting services to be provided by Curtis Davis for the period of July 1, 2018 through September 30, 2018, at a rate of \$50.00 per hour not to exceed a maximum of \$5,000.00.

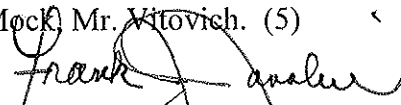
ADOPTED:

June 13, 2018

By the following Vote:

Yeas: Mr. Britt, Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Witovich. (5)

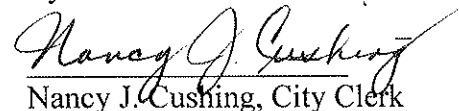
Nays: Mr. Williams, Mrs. Stanton. (2)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 10100 as the same by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 10101

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA APPROVING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF JOHNSTOWN AND GEORGE HAYFIELD FOR A TERM COMMENCING JULY 1, 2018 AND CONTINUING THROUGH THE FIRST MONDAY IN JANUARY 2020 AT A YEARLY SALARY OF \$85,000.00 AS PER, AND CONTINGENT UPON THE TERMS OF THE AGREEMENT BETWEEN THE PARTIES AND A SATISFACTORY BACKGROUND CHECK OF THE CANDIDATE.


ADOPTED:

June 13, 2018

By the following Vote:

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

Nays: Mr. Williams. (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10101** as the same by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk