

JOHNSTOWN CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, April 10, 2019

City Council met in a stated session for the general transaction of business.

Mayor Frank Janakovic called the meeting to order at 6:01 p.m.

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

Mayor Janakovic noted an Executive Session was held prior to the commencement of the regular meeting with regard to personnel.

The following members of Council were present for roll call:

Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton, Mr. Vitovich (5).

Absent: Mr. Britt, Mr. Williams (2)

Mr. Britt and Mr. Williams were absent due to medical reasons.

George Hayfield, City Manager, Elizabeth Benjamin, Esquire, City Solicitor, Fire Chief Statler, Chief Johnson, Robert Ritter, Finance Director, were also present.

APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the January 16, 2019 Public Hearing, January 16, 2019 Regular Meeting, January 31, 2019 Council Workshop, January 31, 2019 Special Meeting and February 13, 2019 Regular Minutes. The motion was seconded by Mrs. Mock.

Mrs. Stanton made a motion to approve each meeting individually. The motion was seconded by Mrs. Mock.

Mr. Vitovich made a motion to approve the January 16, 2019 Public Hearing. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4)

Nays: None (0).

Present: Mrs. Stanton (1).

Mr. Vitovich made a motion to approve the January 16, 2019 Regular Meeting Minutes. The motion was seconded by Mrs. Mock and passed by the following vote:

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

Nays: None (0).

Mr. Vitovich made a motion to approve the January 31, 2019 Council Workshop Minutes. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mayor Janakovic (4)

Nays: None (0).

Present: Mrs. Stanton (1)

Mr. Vitovich made a motion to approve the January 21, 2019 Special Meeting Minutes. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mayor Janakovic, Reverend King (4)

Nays: None (0).

Present: Mrs. Stanton (1)

Mr. Vitovich made a motion to approve the February 13, 2019 Regular Meeting Minutes. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Vitovich, Mayor Janakovic, Reverend King, Mrs. Mock (4)

Nays: None (0).

Present: Mrs. Stanton (1).

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

Mayor Janakovic read the following proclamation into the record recognizing the Johnstown Tomahawks:

The Johnstown Tomahawks capped off their dream season this past Saturday, April 6, 2019, by clenching the regular season championship with an incredible 47 wins of 60 games. This puts them in first place overall with 98 points for 24 teams in the North American Hockey League. And the Tomahawks became the first hockey tenant of the 1st Summit Arena in Johnstown to win a regular season championship in 59 years, since the 1959-60 Johnstown of the Eastern Hockey League. This has been an exciting, hard-fought and successful Tomahawks season and we are proud of the record you have earned and the fine publicity you have brought to our community by your inspired team play.

The Tomahawks will host the Northeast Generals from the Boston Area for a round of the best five-play series starting with game one on Friday, April 12 and game two on Saturday, April 13, at the 1st Summit Arena.

Now Therefore, I Frank J. Janakovic, Mayor of the City of Johnstown, on behalf of City Council, do hereby proclaim April 7 through the 13 as Johnstown Tomahawks Week. And accept the expression of our pride for your accomplishments and encourage all citizens to come out and support the local team and wish the Tomahawks the best of luck during the 2019 Robertson Cup Playoffs.

Mayor Janakovic also declared the Month of April 2019 to be Fair Housing Month in the City of Johnstown.

PUBLIC COMMENT - AGENDA ITEMS ONLY

None.

REPORTS

CITY MANAGER

George Hayfield, City Manager reported on the submission of the application to the Keep Pennsylvania Beautiful camera loan program to combat illegal dumping. An application was submitted to the Pennsylvania Counterdrug Joint Task Force to support state and community efforts against illicit drugs and emerging threats. Mr. Hayfield contacted the manager of the Pasquerilla Conference Center regarding a future contract.

An insurance representative will conduct a health and safety inspection at the Roxbury Park on April 15, 2019. Solid waste recycling contract was moving forward with a bid deadline and opening April 30, 2019. Mr. Hayfield referred members to a list of contractor laydown sites for the last six projects as well as an updated vacant property list which now totals 776 vacant properties. The City Manager indicated a response to the parking issues was made.

Mrs. Mock was contacted by a woman familiar with ADA compliance who indicated that a municipality over 50 should have an ADA compliance officer. Mrs. Mock suggested that the work could be performed by a City staff member. She will provide further information to Mr. Hayfield regarding the matter.

Mr. Hayfield noted the Department of Labor and Industry inspection of the Public Safety Building listed a number of minor repairs that will be completed by Public Works before the May 7, 2019 deadline. He indicated a major part of the repairs were already made.

Mr. Hayfield indicated the lighting on Main Street would be addressed. Mrs. Mock stated it was her understanding that the gas project was almost completed and paving would soon commence downtown.

Mr. Vitovich asked the City Manager to check on the street lights that are out from the Fairfield Avenue underpass to the playground. Mrs. Mock will email the affected pole numbers to Penelec, who would then come out and take care of the matter.

Mrs. Stanton requested a copy of the vacant property list.

Mrs. Stanton made a motion requesting that the City Solicitor take legal action against the property owners, who are noncompliant with the vacant property ordinance.

Mrs. Mock noted the matter needs to be reviewed by Council members and discussed at the next meeting. Reverend King suggested reviewing the list with the codes department.

The motion failed for lack of a second.

Mrs. Stanton discussed the recent vacant house fires. Chief Statler offered comments regarding the matter.

Mrs. Stanton requested the City Manager to investigate a laydown site at Bond and Grove Avenues. Mr. Hayfield noted the property was privately owned. She offered information regarding a property that had several code violations. Mrs. Stanton stated she had received a complaint regarding a huge sign posted in Central Park which violates the City ordinance.

Mrs. Mock made a motion to allow signage for a community event to be posted in Johnstown Central Park. The motion was seconded by Mr. Vitovich.

Ms. Benjamin explained that Council would need to introduce an ordinance amending the ordinance already in place.

Mrs. Stanton stated the City should abide by the ordinances as written.

MAYOR

Mayor Frank Janakovic noted his attendance at the recent Red Cross 25th Anniversary Dinner.

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Mayor Janakovic thanked Discover Downtown and its volunteers for the grand reopening of the State Theater.

He invited the public to attend an Easter Egg Hunt Saturday, April 17, 2019 sponsored by Discover Downtown.

The Mayor noted a grand opening will be held on Sunday, April 28, 2019, at the Gallery on Gazebo, Art of Tea in downtown Johnstown.

Mr. Janakovic met with Congressman Joyce's representative and looked forward to meeting with the Congressman in the future.

He attended the Chamber of Commerce and Discover Downtown monthly meetings. He met with Secretary of Education, Pedro Rivera and Secretary of the Department of Human Services, Teresa Miller for discussion of roadblocks in education and mental health services.

The Mayor extended a special thank you to Penn Highlands and Mount Aloysius representatives who offered tax assistance at no cost to over 60 people at the Cambria County Library.

CITY SOLICITOR

Solicitor Elizabeth Benjamin noted no report other than discussion on resolutions and ordinances during that portion of the meeting.

Ms. Benjamin noted the letter was prepared for Lisa Rager, wife of Shawn Rager, honoring his 23 years of service and retiring his badge number. She noted the matter was with the Police Department and would be made available for discussion at next month's meeting.

Mrs. Stanton inquired about repairs that were to be made two privately owned flood channel walls near Akers Street and Bishop McCort. Ms. Benjamin accepted her information and will follow up on the matter.

CITY ENGINEER

No Report.

COUNCIL UPDATES

1. Planning Commission Minutes of March 6, 2019.
2. March 18 letter from PA Department of Transportation

3. March 18 letter from J. Williams re: Ord. 5266-2019, Wage and Salary Ordinance.
4. Apr 1 letter from J. Williams re: Resolutions.
5. Apr 3 letter from J. Williams re: FJP Conference Center 2019 Capital Budget Request.
6. Apr 4 letter from J. Williams re: Transfer of Funds Resolutions, Resolutions, Contracts and Agreements, Administrative Code Ord 4654 as amended.

NEIGHBORHOOD LIAISONS

Mrs. Mock reported she has been in contact with the DCNR rep through Representative Burns' office with regard to a grant to dredge and repair the dam at Stackhouse Park.

ACRP will celebrate its 30th Anniversary April 17, 2019.

A block party will be held downtown on April 18, 2019.

Starbucks will hold a Day of Caring on April 27, 2019 by working in the West End Improvement gardens as well as other gardens in the City.

A Trash to Treasure event sponsored by the West End Improvement Group will be held at St. Therese's Social Hall on May 11, 2019.

Mrs. Mock reported a West End Cleanup was held on April 6, 2019. She thanked the Greater Johnstown High School Key Club and staff, St. Paul's Lutheran Church and residents and volunteers for their help.

The West End Improvement Group received a \$1,000 grant from the Community Foundation for miscellaneous purposes.

The Roxbury Civic Group will hold a Race for the Rink on May 4, 2019 at 10:30 a.m. to noon. All proceeds will help refurbish the rink. Following the race, Community Days will be held from 12:00 to 3:00 at the park.

Spring Planting of the beds at Roxbury Park was recently held.

A Recreation Committee meeting will be held April 11, 2019 with regard to bids to refurbish the playground at Roxbury Park, Cedar and Wood and Park Avenues. The group was hoping to raise funds for the playground decking.

Reverend King reported the Kernville Cleanup will be held this Saturday, April 13, 2019. Refreshments and a meal will be provided.

A United Neighborhood Meeting will be held at the Christ Centered Community Church on April 24, 2019, and the Kernville Community meeting will be held on April 25, 2019. Starbucks will be involved in an event at Sandyvale on April 27, 2019.

Reverend King noted the Fifth Annual Peace Walk will be held on May 3, 2019, followed by a fellowship meal. She expressed concerns over the signage issue in the park and how it would affect other community events. Mayor Janakovic agreed with Ms. Benjamin who suggested that Council review the ordinance regarding that matter.

Reverend King noted cleanup scheduled for the Hornerstown/Moxham area on May 11, 2019. She stated this event would be a part of the Great American Cleanup and provides an opportunity to take large items to the landfill free of charge.

Mayor Janakovic encouraged Council and community members to attend the Peace Walk.

Mr. Vitovich noted the street sweepers are cleaning up the winter gravel. He noted hand sweeping was being done also. Repairs have commenced at Sargent's Stadium and Roxbury Park and potholes continue to be patched on the City's streets. He stated Public Works would be more than happy to dispose of the bagged cut grass and bundled tree limbs no longer than six feet. Mr. Vitovich stated the number to call for a pickup is 533-2089.

Mrs. Mock noted that the City's street sweeping nights need to be clarified and suggested that stickers indicating time changes need to be put over the signs in place. Mr. Vitovich noted the schedule had changed to 4:00 a.m. to 12:00 noon. Chief Johnson stated it was his understanding that Public Works would be returning to nighttime street cleaning and further stated the City residents should follow the signs in place to avoid ticketing. Mr. Hayfield noted the City has only one street sweeper.

Mrs. Stanton discussed the illegal dumping at Roxbury Park. She indicated that regular garbage was being put into the dumpster in place at the recycling area. She suggested that that dumpster be moved or locked to stop the illegal dumping. Mr. Hayfield noted the dumpster is utilized by Public Works during maintenance at the park.

Ms. Benjamin clarified her discussion of discretion of City ordinances.

Mrs. Stanton expressed concerns regarding the lack of flood protection in the river channels.

PETITIONS

None.

ORDINANCE FOR FINAL READ

BILL NO. 4 OF 2019, AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN CITY PROPERTY ON THE INCLINED PLANE HILLSIDE TO CONEMAUGH VALLEY CONSERVANCY FOR THE PRICES OF \$1.00 AND FURTHER AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE ANY/ALL ADMINISTRATIVE DOCUMENTS AND AGREEMENTS PERTAINING TO SAID TRANSFER.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

Mayor Janakovic commented this ordinance was a final read to replace what was a resolution previously that was not appropriate.

The motion passed by the following vote:

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

Nays: None (0).

ORDINANCES FOR FIRST READ:

BILL NO. 29 OF 2018, AN ORDINANCE AMENDING ORDINANCE NO. 5102 PASSED 3-28-12 AND/OR ANY AND ALL SUBSEQUENT AMENDMENTS, AND THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN; CHAPTER 1484 TITLED: RESIDENTIAL RENTAL PROPERTY REGISTRATION AND MORE SPECIFICALLY, SUBSECTION 1484.05, REGISTRATION AND LICENSING OF RESIDENTIAL RENTAL PROPERTIES BY ADDING SUBSECTION 1484.05.01 TITLED: POSTING OF NON-COMPLIANT PROPERTY REGISTRATION AND INSPECTION REQUIREMENTS (Tabled 10/10/18).

Mrs. Stanton made a motion to remove from table. The motion died for lack of a second.

BILL NO. 15 OF 2019: AN ORDINANCE AMENDING ORDINANCE NO. 4964 PASSED APRIL 13, 2005, ORDINANCE 5086 PASSED JUNE 22, 2001, ORDINANCE 5119 PASSED JANUARY 23, 2013 AND ORDINANCE 5191 PASSED DECEMBER 9, 2015 AS "CITY OF JOHNSTOWN ZONING ORDINANCE" TO REVISE CERTAIN ZONING REQUIREMENTS IN THE CITY OF JOHNSTOWN RELEVANT TO THE HISTORICAL OVERLAY DISTRICT OF CAMBRIA CITY (Tabled 3/13/19).

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

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich (5).
Nays: None (0).

Mrs. Mock made a motion to approve the bill as read. The motion was seconded by Mr. Vitovich and failed by the following vote:

Yeas: Mrs. Stanton (1).
Nays: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).

BILL NO. 16 OF 2019, AN ORDINANCE INCREASING THE INDEBTEDNESS OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, BY THE ISSUANCE OF A GUARANTEED REVENUE BOND IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,535,490.00 FOR THE PURPOSE 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 BOND; 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 BOND; PROVIDING FOR THE AUTHORIZED SIGNATORIES AND AUTHORIZING EXECUTION, SALE AND DELIVERY THEREOF.

Mrs. Mock made a motion to approve. The motion was seconded by Mr. Vitovich.

There was discussion regarding the ordinance. Mr. Hayfield explained this ordinance pertains to a 40 percent loan portion and that the 60 percent grant portion would be money that would not have to be paid back.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Mrs. Mock, Mr. Vitovich (3).

Nays: Reverend King, Mrs. Stanton (2).

BILL NO. 17 OF 2019, AN ORDINANCE AMENDING ORDINANCE NO. 5266, APPROVED FINALLY ON JANUARY 16, 2019 AND TITLED THE WAGE AND SALARY ORDINANCE. PROVIDING FOR ADDITION OF PART-TIME FIREFIGHTER, FOUR (4) POSITIONS AND APPROPRIATION OF \$76,500. THIS AMENDMENT BEING TO THE SALARIES AND WAGES TO BE PAID TO ALL PART-TIME FIREFIGHTERS FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2019.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

Mrs. Stanton made a motion to table. She stated the ordinance was noncompliant with the Administrative Code and does not list an hourly or salary wage per each firefighter position. Mr. Hayfield stated information was provided in the resolution. Chief Statler clarified the positions are part-time hourly to cover vacation and sick. Mr. Hayfield noted the position would be a savings of approximately \$150,000. Chief Statler commented that written and physical agility tests were conducted last Saturday and interviews would commence this Friday and the following Monday. There was further discussion regarding the matter.

Ms. Benjamin explained Ordinance 5266 references a maximum base salary or hourly rate.

The motion to table was seconded by Mrs. Mock.

Mayor Janakovic made a motion to approve the bill as read for the first read, but that it be inclusive of the hourly rate for the final read. The motion was seconded by Mrs. Mock.

Ms. Benjamin explained that part of the purpose of adopting matters for the first read was that there would be the opportunity for Council members to review the matter for amendments. It can be adopted and an amendment can be introduced proposing that hourly rate and then later be adopted as amended for final read.

Mrs. Mock withdrew her second to the motion to table.

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Mrs. Stanton referred Council members to the letter submitted by Mr. Williams regarding Ordinance 5266-2019 for further discussion.

The motion passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mayor Janakovic (4).
Nays: Mrs. Stanton (1).

RESOLUTIONS

Resolution No.

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2018 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES AND MORE SPECIFICALLY, BUDGET EXHIBIT A AS ATTACHED HEREIN (Tabled 3/13/19).

The resolution remained tabled due to lack of a motion.

Resolution No. 10175

A RESOLUTION OF THE CITY OF JOHNSTOWN AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS REQUIRED TO FACILITATE AN EXTENSION OF CURRENT CONTRACT FOR WASTE COLLECTION SERVICES WITH ADVANCED DISPOSAL, CURRENT CONTRACT ENDING APRIL 30, 2019, AND EXTENDING CONTRACT END DATE TO AUGUST 31, 2019. CUSTOMER RATE FOR THE FOUR-MONTH CONTRACT EXTENSION PERIOD IS \$62.92 (15.73 PER MONTH). (Tabled 3/13/19).

Mrs. Mock made a motion to remove from table. The motion was seconded by Mr. Vitovich.

The motion passed by the following vote:

Yeas: Mrs. Stanton, Mr. Vitovich, Mayor Janakovic, Mrs. Mock (4).
Nays: Reverend King (1).

Mrs. Stanton opined that \$2 a month was more than some residents could afford.
There was further discussion regarding the matter.

Ms. Benjamin explained that the original resolution and the resolution in the packet are different.

Mrs. Mock made a motion to replace the resolution with the version distributed in the April Council packet and then adopt as amended. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mr. Vitovich, Mayor Janakovic, Mrs. Mock (3).
Nays: Reverend King, Mrs. Stanton (2).

Resolution No. 10176

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY
MANAGER TO INITIATE THE TRANSFER OF FUNDS FROM
INSURANCE DEDUCTIBLE ACCIDENT EXPENSES ACCOUNT TO BE
TRANSFERRED INTO THE FLOOD INSURANCE ACCOUNT AS
DETAILED HEREIN.

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

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).
Nays: None (0).
Abstention: Mrs. Stanton (1). Mrs. Stanton abstained due to current litigation.

Resolution No. 10177

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND
DIRECTING THE CITY MANAGER TO SIGN, UPON SOLICITOR
APPROVAL, ALL DOCUMENTS NECESSARY TO EXECUTE A LEASE
AND LICENSE AGREEMENT WITH CAPRI PIZZA AND RESTAURANT
THROUGH DECEMBER 31, 2021.

Mrs. Mock made a motion to table and then withdrew it.

Mr. Hayfield explained there was a one-year renewal option in the previous contract for concessions at the Point Stadium, which had been verbally communicated

to him. Ms. Benjamin explained Capri submitted a proposed new agreement, but that the option to renew was to be mutually agreed upon by both parties. Mr. Hayfield stated the contract with Capri ended in the summer of 2018. There was further discussion.

Mrs. Stanton made a motion to table. The motion was seconded by Mrs. Mock.

Mayor Janakovic requested that Capri not be penalized pending clarification of the matter. Ms. Benjamin suggested that Council approve the agreement contingent upon it being for a one-year period from '18 to '19 and then send out RFPs for 2020.

Mayor Janakovic made a motion to amend the resolution until December 31, 2019. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).
Nays: Mrs. Stanton (1).

Mayor Janakovic made a motion to approve as amended. The motion was seconded by Mr. Vitovich and passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mr. Vitovich (4).
Nays: Mrs. Stanton (1).

Resolution No. 10178

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO EXECUTE THE ATTACHED SETTLEMENT AGREEMENT WITH RICHARD I. AND STELLA A SOMIARI TO RESOLVE A TAX ASSESSMENT APPEAL REGARDING A PROPERTY LOCATED AT 633 NAPOLEON STREET, JOHNSTOWN, PA, 15901, AND TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE SAME.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

Mrs. Stanton commented this appeal involves the ITSI company on Napoleon Street which took out a \$500,000 economic loan from the City and was delinquent on that loan. She inquired if the City was receiving the \$1,500 per month as

voted on in open session. Mr. Ritter stated the company was current and up to date with payments.

The motion passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mayor Janakovic (4).
Nays: Mrs. Stanton (1).

Resolution No. 10179

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO EXECUTE THE ATTACHED SETTLEMENT AGREEMENT WITH SALEM FAMILY LIMITED PARTNERSHIP TO RESOLVE A TAX ASSESSMENT APPEAL REGARDING A PROPERTY LOCATED AT 81 OSBORNE STREET, JOHNSTOWN, PA, 15905, AND TO TAKE ANY/ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

This resolution related to Randy's Bi Lo.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mayor Janakovic, Reverend King (5).
Nays: None (0).

Resolution No. 10180

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE AN IMPLEMENTATION AGREEMENT WITH THE PENNSYLVANIA HIGHLANDS COMMUNITY COLLEGE FOR ADMINISTRATION AND IMPLEMENTATION OF THE CURE VIOLENCE PROGRAM AS FUNDED UNDER A \$150,000 GRANT FROM THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY AWARDED TO THE CITY OF JOHNSTOWN.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

There was further discussion regarding the matter.

The motion passed by the following vote:

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

Nays: None (0).

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND
DIRECTING THE CITY MANAGER TO CONDUCT, BY A CERTIFIED
TREE SPECIALIST, A HAZARDOUS TREE ASSESSMENT OF CITY-
OWNED PLAYGROUNDS AND PARKS.

Mrs. Stanton made a motion to approve. The motion died for lack of a second.

Mrs. Mock indicated that the Western PA Conservancy per its website had already had an analysis completed in 2017 and asked Mr. Hayfield to contact the group regarding the status of the inventory to see whether or not the matter should be addressed further. She stated, if an assessment was already done, that it does not make sense financially to have it done again.

Mrs. Stanton read a page from the 7th Amended Recovery Plan into the record: The City shall seek private/public funds to conduct both a hazardous tree assessment along the perimeter and within most of the parks where older growth trees that contain dead and dying trees and limbs that are threatening existing structures and facilities along the perimeter fencing. She suggested that Mr. Barton, the forester, be contacted regarding the matter. Mayor Janakovic noted the project had already been addressed by Vision 2025. There was further discussion regarding the matter. Mrs. Mock would contact the Western PA Conservancy concerning the matter.

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING AND
AUTHORIZING THE CITY MANAGER TO HAVE CERTIFIED
PLAYGROUND INSPECTIONS OF ALL CITY OWNED
PLAYGROUNDS.

Mrs. Stanton made a motion to approve. The motion died for lack of a second.

Mrs. Stanton suggested that the City Manager contact the Pennsylvania Recreation and Park Society with regard to a 2019 certified playground safety inspector course taking place in Murrysville in May at a cost of \$550. She suggested that a City employee be recommend for the course per recommendation by the Act 47 Recovery Plan that certified playground inspections be done.

Reverend King suggested that some part of the millage be put towards a recreation fund. Mr. Hayfield noted that an inspector will be inspecting Roxbury Playground on April 15, 2019. Mrs. Stanton requested a copy of the last playground inspection. There was further discussion regarding the matter.

Mrs. Stanton noted that she had declined a position on the recreation commission previously.

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING THE CITY MANAGER TO AUTHORIZE THE JOHNSTOWN PUBLIC WORKS DEPARTMENT TO CORRECT/REPAIR SIDEWALK DEFICIENCIES AT ROXBURY PARK ALONG FRANKLIN STREET.

Mrs. Stanton made a motion to approve. The motion was seconded by Reverend King.

Mrs. Stanton commented that the sidewalk along Franklin Street was resurfaced with asphalt, which she noted was in violation of the City ordinances. She noted that there has been \$16,000 allotted in the budget for maintenance and repairs at Roxbury Park.

Mayor Janakovic made a motion to table pending a cost estimate. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mayor Janakovic, Reverend King (4)

Nays: Mrs. Stanton (1).

Resolution No. 10181

A RESOLUTION OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, REPEALING RESOLUTION NO. 10156 ADDRESSING THE TRANSFER TO CERTAIN CITY PROPERTY ON TH INCLINED PLANE HILLSIDE DUE TO THE ACCOMPLISHMENT OF SAID TRANSFER VIA ORDINANCE.

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

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

Nays: None (0).

Resolution No. 10182

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, SUPPORTING BRIDGE REHABILITATION PROJECTS WITHIN THE CITY OF JOHNSTOWN AND AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS AS REQUIRED BY THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION TO IMPLEMENT BRIDGE REHABILITATION ON BRIDGES AT D STREET/ST. CLAIR RUN AND MINE PLACE STREET/SOLOMON RUN.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

There were further comments regarding the matter.

The motion passed by the following vote:

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

Nays: None (0).

Resolution No. 10183

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE FACILITY ENCROACHMENT AGREEMENTS CSX882230 AND CSX 882235 WITH CSX TRANSPORTATION INCORPORATED FOR PROPERTY LOCATED IN JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA.

Mrs. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

Mr. Hayfield explained the resolution related to an arrangement with CSX whereby sewer work can encroach upon property owned by CSX.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich (5).
Nays: None (0).

Resolution No. 10184

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL
DOCUMENTS NECESSARY TO APPLY FOR A GRANT THROUGH THE
PA DEPARTMENT OF COMMUNITY AND ECONOMIC
DEVELOPMENT TO ASSIST WITH REMEDIATION EFFORTS
PERTAINING TO ROXBURY PARK PHASE II IN THE AMOUNT OF
\$250,000.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

The City Manager explained this will be used during the second phase of work being done at Roxbury Park, and also for drainage, backstops, handicapped parking. The grant does not include the sidewalks. There was further discussion regarding the matter. Council members would like to offer input regarding how the money would be used. Reverend King suggested a workshop be held for clarification of the matter. Mayor Janakovic suggested that all members receive a copy of the RFP.

The motion passed by the following vote:

Yeas: Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich (5).
Nays: None (0).

RESOLUTION NO. 10185

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL
DOCUMENTS NECESSARY TO APPLY FOR A GRANT THROUGH THE
PA DEPARTMENT OF COMMUNITY AND ECONOMIC
DEVELOPMENT TO ASSIST WITH REMEDIATION AND REPAIR
EFFORTS ON THE RETAINING WALLS AND STREAM BANK ON ST.
CLAIR RUN IN THE AMOUNT OF \$500,000.

Mr. Vitovich made a motion to approve. The motion was seconded by Mrs. Mock.

Wednesday, April 10, 2019
Stated Meeting, continued

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Mrs. Stanton questioned whether the City budget can match the 15 percent required to obtain the grant.

The motion passed by the following vote:

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

Nays: None (0).

MOTIONS

Mr. Vitovich made a motion for approval of the 2017 Audit of Financial Statements/City of Johnstown as amended. The motion was seconded by Mrs. Mock.

Ms. Benjamin explained this was in follow up to Mr. Williams' request for clarification.

The motion passed by the following vote:

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

Nays: None (0).

NEW BUSINESS

None.

OLD BUSINESS

None.

PUBLIC COMMENT-NON-AGENDA ITEMS

None.

RECESS/ADJOURNMENT

There being no further business, the meeting adjourned at 8:15 p.m.

NEXT SCHEDULED MEETINGS

Work Session, Wednesday, April 24, 2019 at 5:00 p.m.

Wednesday, April 10, 2019
Stated Meeting, continued

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Regular Meeting Wednesday, May 8, 2019 at 6:00 p.m.