

JOHNSTOWN CITY COUNCIL
REGULAR MEETING MINUTES
Wednesday, June 12, 2019

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

Mayor Frank Janakovic called the meeting to order at 6:06 p.m.

Reverend Sylvia King offered the invocation. She requested a moment of silence for Davonte "Cookie" Cook, who recently passed. Mayor Janakovic requested a moment of silence for Larry Olek, who also recently passed. The Pledge of Allegiance was recited.

Mayor Janakovic noted an Executive Session held prior to the meeting with regard to litigation.

The following members of Council were present for roll call:

Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich (6).
Absent: Mr. Williams (1)
Mr. Williams was absent due to medical reasons.

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

APPROVAL OF MINUTES

Mr. Vitovich made a motion to approve the April 10, 2019 Regular Meeting Minutes, the April 24, 2019 Workshop Minutes, and the May 8, 2019 Regular Meeting Minutes. The motion was seconded by Mrs. Mock.

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

Mrs. Stanton made a motion to amend the May 8, 2019 Meeting Minutes stating she had never received a copy of the code complaints from August 14, 2018 to May 3 of 2019. The motion was seconded by Mrs. Mock and passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich (5)
Nays: None (0).
Present: Reverend King (1).

Mr. Hayfield will provide a copy of the list of code complaints to Mrs. Stanton.

The motion to approve the Minutes of all three meetings including the amendment to the May 8, 2019 Meeting Minutes passed by the following vote:

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

Nays: None (0).

Abstentions: Mrs. Stanton, Mr. Britt (2).

Mrs. Stanton noted the reason for her abstention as not being present at the April 24, 2019 Workshop and that Council's refusal to vote on the meetings separately.

PROCLAMATIONS, AWARDS, HONORS, RESOLUTIONS OF RECOGNITION

Mayor Janakovic stated a proclamation was sent with regard to Men's Health Month.

PUBLIC COMMENT - AGENDA ITEMS ONLY

Greg Jenkinson, 271 Cypress Avenue, Johnstown, addressed Council regarding the reason for blighted properties partially being due to the high costs of utility bills, including water bills, in our city as compared to across the state. He also stated residents should have a right to choose a garbage disposal company. Mr. Jenkinson commented on Johnstown's ability to recruit people from other areas to come and live here.

Mayor Janakovic stated the City of Johnstown does not recruit people and does not set the water rates.

Mrs. Stanton stated she was not allowed to respond to public comment in the past and asked that be the same practice for everybody.

REPORTS

CITY MANAGER

George Hayfield, City Manager, read the following City of Johnstown, Community Development Block Grant Public Notice into the record: Notice is hereby given that the City of Johnstown is considering entering into a contract with Jennifer Sukenik and Christine Krouse under the sewer lateral assistance program. Ms. Sukenik and Ms. Krouse wish to publicly disclose that they are employees of the City of Johnstown working in the Fire, Police and Finance Department. Thus, regulations which govern federal Community Development Block Grant (CDBG) requires a city employee to provide a full public disclosure of CDBG expenditures which may constitute conflicts of

interests. Accordingly, the City will request HUD to issue an exception to the regulatory conflict of interest prohibition.

Mr. Hayfield explained when a City employee applies for a grant for a sewer lateral program or any other loan program it has to be disclosed publicly.

Mr. Hayfield reported the \$475,000 cost to replace the collapsed flood wall on Sam's Run will be covered by the Army Corps of Engineers, which will be confirmed by an official letter.

He noted work will commence in September by the Army Corps of Engineers on the channel flood walls.

The City will be installing additional heating units on the second and third floors and replace ceiling tiles at the Public Safety Building in compliance with the Department of Labor and Industry.

The City Manager noted the demolition currently underway with regard to the Fairfield Avenue building that had recently burned. Mr. Vitovich noted the building was demolished and the contractors are finishing up the project.

He reported 18 street lights on Main Street were repaired and are all operational.

Mr. Hayfield reported that grass was cut on approximately 70 of the 150 vacant properties by a private contractor.

He explained to Mrs. Mock that Section 313 funds in the amount of \$2.1 million received from the Army Corps includes the Stackhouse Dam.

Mrs. Mock requested a monthly progress report identifying all the deteriorating river walls, and including what funding the Army Corps has committed, what is available in grants, the timeline and grading of the condition of the walls. Mr. Hayfield noted that the total replacement of all flood channels leading into the main channel was approximately \$650 million.

Mrs. Stanton noted concerns regarding a blind spot on Sell Street pulling out onto Franklin Street caused by cars parked in front of the Roxbury Place apartment complex. The City Manager noted Chief Johnson recommended increasing the distance for no parking. Public Works will take care of the matter.

She inquired if all City positions have been filled. Mr. Hayfield stated one code enforcement position remains vacant. He explained that some cities

were forced to pay back CDBG funds for using code enforcement officers for non-blight-related matters. He further explained that the majority of the code complaints come from the Roxbury section, which does not qualify as a low to moderate income area, and that the hiring of another codes officer would come from the general fund, which is not in the budget. There was further discussion regarding the matter.

Mr. Hayfield explained that records are being kept with regard to neighborhoods allowable for CDBG funding. A map of the low-income neighborhoods is available and will be given to Council members.

Mrs. Stanton stated if two code officers are being budgeted by CDBG and the general fund budgets for another code officer, a third code officer would need to be hired. There was further discussion regarding the matter.

Mr. Ritter commented that one codes officer is budgeted out of the general fund.

Mrs. Stanton made a motion directing the City Manager to proceed with advertising for a codes officer and to follow up with an explanation of the matter. The motion was seconded by Mrs. Mock.

Ms. Benjamin explained the City Manager has the ultimate authority to govern and give directions regarding personnel.

Mr. Hayfield reiterated that the City has not been compliant with code regulations by not filling the position to help catch up with money that has been spent improperly.

The motion passed by the following vote:

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

Nays: None (0).

Mrs. Stanton again requested an updated vacant property list including the names of the property owners. She may take further action and file a Right to Know request regarding the matter. Mr. Hayfield will follow up on the matter.

Mrs. Stanton requested an update regarding the application the City sent to the Pennsylvania Counterdrug Joint Drug Task Force. Mr. Hayfield stated application was made and no response has been received.

Mrs. Stanton made a motion requesting that correspondence be sent regarding the matter stressing the need for their help in the City of Johnstown. Chief Johnson explained that he had already reached out to the drug task force via email twice and was informed that it's on a "first come, first served" basis, and that they would get contact us as soon as they have availability.

Chief Johnson further explained that there are no issues with drug use and unoccupied blighted properties, that the drug use is occurring in housing communities and other communities around town. There was further discussion regarding the matter.

Mrs. Stanton noted that back in August of 2018 she had made a motion and Council voted unanimously for emergency demolition of property at 404 Oak Street. She stated the house still stands and continues to deteriorate and asked the City Manager for an update regarding the matter. It was noted the property is on the last list of structures bid out for demolition, so at this point, it would be based on when the contractor gets to it.

Mrs. Stanton commented, since this is an emergency demo, somebody could be contacted to demo it. The Chief explained that he visited the property and the shell of the building was structurally sound, that there are other buildings within the City that are in worse condition.

Mrs. Stanton discussed numerous code complaints that she and Mr. Williams submitted that require a response. Mayor Janakovic suggested that a third code enforcement officer or consultant be hired as a supervisor to manage that department and take care of these types of matters. Mrs. Stanton suggested that the vacant Director of Community and Economic Development position be filled to oversee that department.

Mrs. Mock agreed that a consultant should be hired to follow up on these code complaints. Mr. Janakovic commented that the City Manager should make suggestions to Council what it needs to do as far as hiring. Reverend King agreed that the vacant position of Director of Community and Economic Development needs to be filled to assist the City Manager.

Mr. Britt made a motion to advertise for a Director of Community and Economic Development. The motion was seconded by Mrs. Mock and passed by the following vote:

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

Nays: None (0).

MAYOR

Mayor Frank Janakovic congratulated Dale Oxygen on celebrating 80 years in the City of Johnstown. He noted the company was expanding by building an 8,000 square foot building on their property on Horner Street.

The Mayor thanked Highmark for recently sponsoring a free concert at PNG Park.

He noted the Showcase for Commerce yielded approximately \$180 million in grants for the region with 100 vendors onsite and over 2,000 visitors.

Mr. Janakovic congratulated the Visitor's Bureau and St. Mary's Byzantine Parish on the success of the 22nd Annual Polkafest recently held May 31 through June 2.

Greater Johnstown School District Communities in School was awarded \$200,000 for partnering with communities and schools.

Mayor Janakovic stated a Proclamation was presented to Jodie Babich and her husband Captain Jack Babich for Military Spouse Recognition Day.

Discover Downtown, JARI, Vision 2025, 1889 Foundation were recognized for all they do for the City and for bringing money into the area.

Hundreds of volunteers were involved in the recent Downtown cleanup. A free lunch was provided by the Holiday Inn.

The Mayor reported that 600 tickets were sold and 40 businesses participated in the recent Taste and Tour.

The Chamber of Commerce recognized some of their volunteer groups.

Mr. Janakovic commented that local business, ParaCoat Technologies, PCT, across from Sargent's Stadium at the Point, was renovating its buildings.

The Mayor stated by the City working in conjunction with JRA, \$2.1 million will be received from the Army Corps of Engineers, \$150,000 from the Community Foundation, \$150,000 in matching funds from the 1889 Foundation, \$11.521 million from a PennVEST loan and \$15,000 from Brownfield. Mayor Janakovic, on behalf of City Council, thanked all the groups involved for working to make Johnstown a better city.

CITY SOLICITOR

Solicitor Elizabeth Benjamin confirmed that a letter was issued requesting cooperation and information regarding efforts to pursue repairs to the Valley Pike sidewalk. She noted no response had been received.

Ms. Benjamin has been consulting with the City Manager regarding certain areas of the flood channels, including the area near Bishop McCort, and still anticipates contact with the right person there to reinitiate that effort.

Ms. Benjamin other matters would be addressed during different areas of the agenda.

In response to a question by Mrs. Stanton concerning renegotiation of Crown's lease, Ms. Benjamin indicated a response had not yet been received.

Mrs. Stanton made a motion to send another letter to Crown. The motion was seconded by Mrs. Mock

Ms. Benjamin will make some follow-up calls regarding the matter.

Mrs. Mock withdrew her second to the motion. The motion died for lack of a second.

CITY ENGINEER

Mrs. Stanton discussed residents' concerns regarding the sewage project.

She noted that 53 percent of the property owners in the Hornerstown area had not completed the sewer project by the deadline of February of 2019; 338 out of 795 property owners in the Roxbury area completed the work by the deadline of May of 2018; 84 percent of the property owners in the Prospect area and 57 percent of the property owners in the Woodvale area had not completed the work by the deadline of May of 2018; and in the Moxham area, 54 percent of the homes are not done.

Councilwoman Stanton stated, by a general consensus of Council and the City Manager, no fines would be issued.

Mrs. Mock suggested that a workshop be scheduled for discussion of a plan to get people "back on track" and to re-educate the public and offer guidance in the matter. She emphasized that the deadline is approaching and the matter needs to move forward.

Mrs. Stanton suggested amending the Consent Order to only require digging up to the home's foundation. She stated there are still illegal connections that have not been brought to compliance. Mrs. Stanton found no need to attend the workshop and opposed to the sewage mandates that Council passed.

Mrs. Mock recalled a letter sent to Mr. Williams and the City Manager from the DEP indicating that they do not advise going to the foundation, and clearly stated in that letter that an amendment would be a violation.

Mrs. Stanton referred Council members to an EADS complaint regarding a home in Walnut Grove that the owner will not pressure test, that the water has been shut off for two years, and the house was not livable and would be turned over to the City. She requested that the City Manager discuss the matter with an EADS representative and advise that the City needs to be informed of these types of situations so homes like this could be added to the vacant property list.

COUNCIL UPDATES

1. Planning Commission Minutes of May 1, 2019.
2. Code complaints from J. Williams - 10.
3. June 4, 2019 letter from J. Williams re: Inquiry: Retention of Non-Employee Solicited Services.

NEIGHBORHOOD LIAISONS

Mrs. Mock reported the community garden has been planted.

The Roxbury Civic Group continues to conduct extensive planting and painting at Roxbury Park.

The West End had a cleanup on June 8. She thanked Public Works for helping with all the cleanups. She reminded residents to bundle yard waste and call the City garage to schedule a pickup.

Reverend King reminded everyone that the Juneteenth Celebration sponsored by the NAACP will start tomorrow, June 13, 2019 with a movie in Central Park beginning at dusk, a music festival at PNG Park on Saturday, and a Father's Day service at 3:00 p.m. in Central Park on Sunday.

A community meeting will be held on June 19, 2019 at CamTran in Woodvale.

A meeting will be held on June 20, 2019 at Christ Centered Community Church on Somerset Street.

A community meeting will be held on June 27, 2019, at United Spiritual Church in Kernville.

Mr. Britt noted that the Redeemed Men of God would be participating in the Juneteenth celebration.

The Redeemed Men of God's Annual Banquet will be held on July 27, 2019 at the Pasquerilla Center and will be attended by five former NFL players. Mr. Britt noted that the guest speaker that night will be Jeff Richardson, Superbowl III Champion with the New York Jets.

Mr. Vitovich reported the Public Works employees are cutting grass, patching, cleaning inlets and picking up yard waste.

Mrs. Stanton reported that the Johnstown Walk of Hope was held June 1, 2019 at the Trojan Stadium to raise funds to support local cancer patients at UPMC Hillman and Conemaugh Cancer Center, Joyce Murtha Breast Care Center and Children Are Precious Fund. She thanked Marlene Singer, the coordinator for the event.

Mrs. Stanton noted her participation in the Moxham community walks held every Wednesday 6:00 p.m. at the Moxham Lutheran Church.

She stated the Jehovah Witnesses were having their convention at the 1st Summit Arena.

PETITIONS

None.

ORDINANCE FOR FINAL READ

BILL NO. 18 OF 2019, AN ORDINANCE AMENDING ORDINANCE NO. 5265 PASSED FINALLY ON JANUARY 16, 2019, TITLED: AN ORDINANCE ESTIMATING THE AMOUNT OF REVENUE RECEIVED BY THE CITY OF JOHNSTOWN FROM VARIOUS SOURCES AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR SPECIFIC PURPOSES FOR THE OPERATIONS OF THE VARIOUS FUNDS, BUREAUS, DEPARTMENTS, AND THE PAYMENT OF DEBT SERVICE AND PENSION FUND OBLIGATIONS OF THE CITY OF JOHNSTOWN,

PENNSYLVANIA, FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2019 INCLUDING THE FOLLOWING CITY OF JOHNSTOWN FUND SECTIONS AND RESPECTIVE FUNDS, "BUDGET EXHIBIT A" DETAILS: TO AMEND 2019 UDAG FUND TO DECREASE REVOLVING LOAN FUND APPROPRIATIONS AND INCREASE APPROPRIATIONS FOR CITY WIDE DEMOLITION COST AS PER EXHIBIT A AS ATTACHED HEREIN.

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

Ms. Benjamin explained Bill No. 18 was amended at the last meeting through discussions with Councilwoman Stanton and Councilwoman Mock to identify an amended figure, \$250,000, for City-wide demolition. She explained that amendment was made but because Bill No. 18 itself entails an amendment to the overall budget it would need to be tabled as amended and then advertised and a hearing held before final adoption. It could not be voted on as a final read tonight. It would need to be addressed and then tabled for advertising. Because the City has come into the process now of doing a ten-day notice and hearing prior to a budget amendment.

So that's the first issue with Bill No. 18. The second issue does entail a budget amendment and there's another item elsewhere on the agenda, Bill No. 22, that entails a budget amendment. If you want to proceed in this fashion, you could combine those two bills so that the advertising is more straightforward.

Mrs. Stanton made a motion to amend Bill No. 18 to include Bill No. 22, advertise and hold a hearing and then adopt it finally. The motion was seconded by Mrs. Mock.

There was further discussion regarding emergency demolition. Mr. Hayfield commented that there are no criteria for what emergency demo constitutes. Chief Statler talked about what constitutes a "true" emergency demolition.

The motion passed by the following vote:

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

The motion passed by the following vote:

Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Mrs. Mock,
Mrs. Stanton (5).
Nays: Reverend King (1).

Council discussed options regarding the matter.

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

BILL NO. 19 OF 2019, AN ORDINANCE AMENDING ORDINANCE NO. 4750 PASSED FINALLY ON MAY 8, 1996, AND CODIFIED AT CHAPTER 654.01 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES ADDRESSING THE POSTING OF BILLS ON PUBLIC AND PRIVATE PROPERTY TO PROVIDE FOR LIMITED EXCEPTION FOR THE ADVERTISING OF COMMUNITY AND SOCIAL EVENTS CONTINGENT UPON CITY MANAGER APPROVAL (Tabled 5/8/19).

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

The motion passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Mrs. Mock, Mrs. Stanton,
Mr. Vitovich (5).
Nays: Reverend King (1).

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

Mrs. Mock suggested that the motion be amended to cover other City sites. After further discussion, Mrs. Mock withdrew her motion to amend.

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

Mrs. Stanton was concerned that if the motion passed, it would lead to sign clutter around the City parks and various City locations. She stated the fee amount should be listed and suggested the matter be tabled for clarification.

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

The motion failed by the following vote:

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

BILL NO. 20 OF 2019, AMENDING ORDINANCE NO. 5270 PASSED FINALLY IN COUNCIL ON MAY 8, 2019 AMENDING ORDINANCE NO. 5266 PASSED FINALLY ON JANUARY 16, 2019: "FIXING THE SALARY OF WAGES TO BE PAID ALL ELECTED OFFICIALS AND EMPLOYEES OF THE VARIOUS DEPARTMENTS AND BUREAUS OF THE CITY OF JOHNSTOWN FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2019 TO DELETE THE IMPROPER ACTIONS AND REFERENCES AS TO BUDGET AMENDMENTS BEING CONTAINED IN SAID ORDINANCE NO. 5270 AND TO FURTHER PROVIDE AUTHORIZATION FOR THE COMPENSATION HOURLY RATE

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

Yeas: Reverend King, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Britt, Mayor Janakovic (6).
Nays: None (0).

BILL NO. 21 OF 2019, AN ORDINANCE OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE ESTABLISHMENT OF A PROPERTY TAX EXEMPTION FOR CERTAIN UNDERUTILIZED, BLIGHTED, OR DETERIORATED INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY; DEFINING ELIGIBLE AREAS; SETTING A MAXIMUM EXEMPTION AMOUNT; AND AN EXEMPTIONS SCHEDULE; AND PROVIDING A PROCEDURE FOR SECURING AN EXEMPTION.

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

It was noted that Moxham passed in March and this bill includes Moxham and Roxbury. Mrs. Mock commented that Council is not at liberty to discuss which Roxbury property is being referred to.

Mrs. Stanton suggested the City is not in any shape to grant tax exemptions for properties, especially business or blighted properties.

Mayor Janakovic explained this is an opportunity to bring two businesses into the City that would not otherwise come to our City. Taxes would still be paid on the property, but any new construction is scheduled on a ten-year period with a percentage increase on that new construction.

The motion passed by the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Britt, Mayor Janakovic,
Reverend King (5).
Nays: Mrs. Stanton (1).

Mayor Janakovic noted this would require two advertisements and a hearing before the next meeting.

BILL NO. 22 OF 2019, AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE 5265 PASSED FINALLY ON JANUARY 16, 2019 TO AMEND THE 2019 BUDGET, MORE SPECIFICALLY REVENUE AND EXPENDITURES BUDGET FOR THE STATE GRANT FUND, BUDGET EXHIBIT (F) TO REFLECT INCREASED STATE GRANT FUND BUDGET REVENUE AND EXPENDITURES DUE TO RECEIPT OF THE PATH OF THE FLOOD GRANT AND THE DCNR INCLINED PLANE GRANT REFLECTED IN BUDGET EXHIBIT F AS ATTACHED HEREIN.

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

Ms. Benjamin explained no vote was necessary as this was combined with Bill No. 18. She explained the way it was combined was to take the exhibits in Bill No. 22 and attach it to Bill No. 18. No further action was necessary.

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).

There was no motion to remove from table.

Resolution No.

A RESOLUTION OF 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 (Tabled 3/13/19).

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

Mrs. Stanton commented that the City is currently in violation of its own Codified Ordinances due to the condition of the sidewalks at Roxbury Park.

The motion failed by the following vote:

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

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

Resolution No.

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 AGREEMENT WITH GIBSON THOMAS ENGINEERING TO PROVIDE SPECIAL ENGINEERING SERVICES AS REQUESTED TO THE CITY OF JOHNSTOWN EFFECTIVE JUNE 1, 2019 (Tabled 5/8/19).

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

Resolution No.

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 AGREEMENT WITH CAMPBELL DURRANT BEATTY PALOMBO AND MILLER, P.C. TO PROVIDE SPECIAL LABOR COUNSEL LEGAL SERVICES TO THE CITY OF JOHNSTOWN EFFECTIVE JUNE 1, 2019 (Tabled 5/18/19).

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

Resolution No. 10190

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY IN AWARDDING PRO DISPOSAL INC. THE CONTRACT AT A BID OF \$15,175,860.00 FOR WEEKLY COLLECTION, DISPOSAL AND PROCESSING OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIALS AND WITH BULK ITEM/WHITE GOODS PICKUP MONTHLY FOR A FIVE-YEAR CONTRACT PERIOD FROM SEPTEMBER 1, 2019 TO AUGUST 31, 2024 PLUS FIVE OPTION YEARS FROM SEPTEMBER 1, 2024 TO AUGUST 31, 2029

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

Mrs. Mock commented that including Spring Cleanup in the contract would have increased the monthly rate substantially. She noted that a Pro Disposal representative was present at a recent workshop meeting for further discussion of its service.

Mr. Hayfield explained the low bid was \$15,175,860 for five years plus five option years. The high bid was \$18,000,000, almost \$3 million higher.

Mrs. Mock noted a concern was enforcement of bill paying and residents not having a garbage pickup.

Mrs. Stanton and Reverend King have concerns that this would bind the City to an additional five years or ten years total. Mayor Janakovic commented that the last garbage contract saved the City a significant amount of money. There was further discussion on the matter.

The motion passed by the following vote:

Yeas: Reverend King, Mrs. Mock, Mr. Vitovich, Mr. Britt,
Mayor Janakovic (5).
Nays: Mrs. Stanton (1).

Resolution No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO ENGAGE THE COHEN LAW GROUP IN CABLE FRANCHISE RENEWAL SERVICES AT A RATE OF \$13,320 FOR FRANCHISE RENEWAL NEGOTIATIONS AND FRANCHISE FEE AUDIT SERVICES ON ATLANTIC BROADBAND.

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

Mrs. Stanton commented that she does not recall that Atlantic Broadband was contacted regarding the matter, and that no RFPs were advertised. She suggested that the City Solicitor and City Manager schedule a meeting with Atlantic Broadband rather than hiring a law firm.

Ms. Benjamin explained that negotiations would require a very technical and highly specialized area of expertise, and that there may be a benefit from having expert negotiations and recommended that Council consider this firm. Mrs. Mock suggested contacting other cable providers. The City Manager noted that Council is required to negotiate with Atlantic Broadband. There was further explanation and discussion.

The motion was withdrawn pending RFPs from other firms.

Resolution No. 10191

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO MAKE APPLICATION FOR A MULTIMODAL TRANSPORTATION FUND GRANT OF \$1.5 MILLION FROM THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT AND THE COMMONWEALTH FINANCING AUTHORITY TO BE USED FOR

IMPLEMENTATION OF THE JOHNSTOWN MAIN STREET
GREENWAY PLAN.

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

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

Nays: None (0).

Resolution No. 10192

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND SIGN AN AGILITY AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE CITY OF JOHNSTOWN.

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, Mrs. Stanton, Mr. Vitovich, Mr. Britt (6).

Nays: None (0).

Resolution No.

A RESOLUTION OF THE CITY OF JOHNSTOWN AUTHORIZING AND DIRECTING THE BEARD LEGAL GROUP-THE CITY SOLICITORS, TO PROCEED WITH LEGAL ACTION AGAINST PROPERTY OWNERS WHICH ARE NON-COMPLIANT AND IN VIOLATION OF THE CITY OF JOHNSTOWN'S VACANT PROPERTY ORDINANCE.

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

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

Nays: Mrs. Stanton (1).

Resolution No. 10193

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN AUTHORIZING AND DIRECTING THE CITY MANAGER TO CONTACT IN WRITING: FEMA, THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY (PEMA), PA DEPARTMENT OF ENVIRONMENTAL PROTECTION, U.S. ARMY CORPS OF ENGINEERS, STATE REPRESENTATIVE JIM RIGBY AND SENATOR WAYNE LANGERHOLC, U.S. SENATOR BOB CASEY, SENATOR PAT TOOMEY AND REPRESENTATIVE JOHN JOYCE REQUESTING ASSISTANCE AND IMMEDIATE HELP FOR THE PURPOSE OF REMEDIATION AND REPAIRS TO THE NON-FEDERAL FLOOD CONTROL PROJECTS/FLOOD CHANNELS LOCATED IN THE CITY OF JOHNSTOWN.

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

Mrs. Stanton commented this pertains strictly to non-federal protection projects, including Sam's Run and Cheney Run. She had further discussion regarding the fact that no entity wants to take responsibility for the maintenance of these flood channels, that "somebody has got to do something now" given the history of flooding in the City.

Mr. Britt suggested that the City Manager apply for grants regarding the matter.

Mr. Hayfield explained there are 36 miles of total flood channel, 9 miles of Army Corps of Engineers, and the balance is a combination of City and private.

Mr. Janakovic commented that \$2.1 million, \$1.1 million, \$5.2 million has been allocated.

There was further discussion regarding the matter.

Mrs. Stanton made a motion to amend directing the City Manager to draft a letter including signatures by each Councilmember and that Council be permitted to review the letter before it is sent out. The motion was seconded by Mrs. Mock.

Mr. Vitovich made a motion to table until a plan is in place.

Wednesday, June 12, 2019
Stated Meeting, continued

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The motion failed by the following vote:

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

The motion to approve as amended passed by the following vote:

Yeas: Mrs. Stanton, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock (5).
Nays: Mr. Vitovich (1).

Resolution No. 10194

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY
MANAGER TO SIGN ALL AGREEMENTS, MORTGAGES,
GUARANTEES AND ALL OTHER LOAN CLOSING DOCUMENTS FOR
THE CAFÉ ON BROAD STREET.

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

Yeas: Mr. Vitovich, Mr. Britt, Mayor Janakovic, Reverend King,
Mrs. Mock, Mrs. Stanton (6).
Nays: None (0).

Resolution No. 10189

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN,
PENNSYLVANIA, APPROVING THE FY 2019 ANNUAL ACTION PLAN
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS
APPLICATIONS.

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

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mrs. Stanton, Mr. Vitovich (6).
Nays: None (0).

Resolution No. 10195

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN,
CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND
DIRECTING THE CITY MANAGER AND SOLICITOR TO TAKE ALL
ACTIONS NECESSARY TO EFFECTUATE A TWO-YEAR EXTENSION
OF THE CURRENT CONTRACT WITH TURNKEY TAXES, INC.

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

Mr. Hayfield discussed other options would include an RFP. Mr. Ritter explained that using a firm like Turnkey would result in approximately \$100,000 in business privilege taxes for the City.

The motion passed by the following vote:

Yeas: Mr. Britt, Mayor Janakovic, Reverend King, Mrs. Mock,
Mr. Vitovich (5).
Nays: Mrs. Stanton (1).

MOTIONS

1. Adoption of a commemorative flag or banner.

Tasha Adams, Director, You in Flood City, a non-profit organization, was present to discuss the implementation of a commemorative flag for the City. She noted 38 submissions of flag ideas were received, and presented Council with 2 of those designs to consider. It was noted that the City's official flag was adopted by ordinance. Mayor Janakovic suggested this commemorative flag complement the City's existing flag. Ms. Adams stated a poll conducted on WJAC's website noted most people liked the banner with the bridge design.

Council voted as follows:

Bridge image: Mrs. Mock, Reverend King, Mr. Britt, Mayor Janakovic,
Mrs. Stanton (5)
Mountain image: Mr. Vitovich (1)

A resolution will be placed on next month's agenda regarding the matter.

NEW BUSINESS

Mrs. Mock referred Council members to the letter signed by Mayor Janakovic to Eric Gutshall, Secretary, Intergovernmental Affairs, Office of Governor Wolf, regarding the possibility of the Governor visiting Johnstown for discussion of \$4.5 billion infrastructure investment plan. She suggested that Council sign a similar letter.

Mrs. Mock made a motion authorizing Mayor Janakovic to sign the letter of support and directing the City Manager to draft an additional letter to be signed by all Council members. The motion passed unanimously.

OLD BUSINESS

None.

PUBLIC COMMENT NON-AGENDA ITEMS

None.

RECESS/ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

NEXT SCHEDULED MEETING

Wednesday, July 10, 2019, at 6:00 p.m. (Regular Meeting)