

JOHNSTOWN CITY COUNCIL
SPECIAL MEETING MINUTES
Wednesday, August 28, 2019

City Council met in a stated session for the general transaction of business.
Mayor Frank Janakovic called the meeting to order at 5:00 p.m.

Mr. Britt offered the invocation. The Pledge of Allegiance was recited.

The following members of Council were present for roll call:

Mr. Britt, Mayor Janakovic, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,
Mr. Williams (6).

Reverend King entered the meeting at 5:03 p.m.

George Hayfield, City Manager, and Elizabeth Benjamin, Esquire, City Solicitor,
were also present.

PUBLIC COMMENT-AGENDA ITEMS ONLY

John DeBartola, 1197 Bedford Street, came before Council for discussion of
Resolution 1 on the agenda regarding the demolition of 18 properties. He
expressed a concern that this would become a larger problem down the road.

With regard to Resolution 2, the joint motion and stipulation of settlement
with regard to contempt sanctions filed by Mrs. Stanton and Mr. Williams,
Mr. DeBartola requested an explanation of the settlement as to whether it
involved the executive session lawsuit or the budget lawsuit or what it
involved.

Mrs. Stanton explained there was a total of approximately 880 vacant
properties and proposed taking legal action against the vacant property owners
who had not paid the fee, but that the majority of Council voted to table the
matter. She stated Council in 2015 repealing the property registration for
properties being purchased was a "huge mistake", that rental properties are no
longer registered, and that the City is in violation of its own ordinances by not
enforcing the rental property inspections.

Ms. Benjamin explained Resolution 2 references a Civil Action 2017-4061,
Petition for Contempt Sanctions filed with regard to allegations regarding the
budget for 2018-2019. She stated it was a proposed action to resolve the
matter by way of an agreement between the parties that would be filed with
the court if approved by Council. Mrs. Stanton would be permitted to
comment further when the resolution was read.

AGENDA:

Resolution No.

RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH LECKEY'S DEMOLITION SERVICE IN THE AMOUNT OF \$169,975.000 FOR CONTRACT #2019-25, CDBG STRUCTURE DEMOLITION PROGRAM TO DEMOLISH 18 STRUCTURES THROUGHOUT THE CITY OF JOHNSTOWN. [CDBG/04.609.29.290.19/DEMO CLEARANCE GRANT EXPENSES - 2018.

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

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

Mrs. Stanton made a motion to approve the resolution as read. The motion was seconded by Mr. Williams.

Mrs. Stanton stated, when she inquired as to the owners of the properties, she was surprised to learn that the tax map parcel numbers do not match the properties, that Council must be certain the addresses of the properties match up with the tax map parcel number.

Mrs. Stanton made a motion to table until the correct information is provided to Council. The motion was seconded by Mr. Williams and passed by the following vote:

Yeas: Reverend King, Mrs. Stanton, Mr. Williams, Mr. Britt (4).
Nays: Mrs. Mock, Mr. Vitovich, Mayor Janakovic (3).

Mrs. Stanton requested that the City Manager and Department of Community Development verify the actual property addresses, numbers, and tax map parcel numbers before the next meeting

Resolution No. 10210

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING A JOINT MOTION AND STIPULATION OF SETTLEMENT TO BE FILED FOR

PURPOSES OF RESOLVING THE PETITION FOR CONTEMPT SANCTIONS FILED BY JACK WILLIAMS, COUNCILMAN, AND CHARLENE STANTON, COUNCILWOMAN, AGAINST ALL NAMED RESPONDENTS IN CIVIL ACTION NO. 2017-4061 IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME.

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

Ms. Benjamin offered to explain and identify the matters of concern, but she could not comment on legal issues while the lawsuit was still pending.

Mr. Williams commented the matter involves a motion for contempt.

Ms. Benjamin further stated this was an agreement mutually between the parties to resolve the lawsuit and to authorize the financial payment as it pertains to costs in the amount of approximately \$173 for filing and copying costs.

The motion passed by the following vote:

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

Nays: Reverend King (1).

Abstentions: Mrs. Stanton and Mr. Williams abstained from voting on the motion as they are the Petitioners.

RECESS/ADJOURNMENT

The meeting adjourned at 5:17 p.m.

NON-VOTING WORK SESSION:

1. Discussion of FY 2020 Budget