

McKees Rocks Borough
Virtual Public Meeting
July 14, 2020
7:00 PM

Roll Call: Council President Paul Krisby requested roll call. Present by phone was Councilman Joe Mixer, Councilwoman Sarah Harvey, Vice-President Kathy Evich, and Councilwoman Elizabeth Delgado. Present at the borough building was Councilman Charles Maritz, Councilman Archie Brinza, and Councilman Craig Myers. Councilwoman Leslie Walker was absent.

Also present for this meeting were Mayor John R. Muhr, Borough Manager Ruth A. Pompey, Assistant Borough Secretary LeeAnn Wozniak, Borough Solicitor Megan Turnbull, of Weiss Burkhardt Kramer, LLC, Controller Julie Chambers (by phone), and Borough Engineer Mr. Douglas Evans, of NIRA Consulting Engineers, Inc. (by phone).

Agenda Comments/Changes: Solicitor Megan Turnbull read into record public comment(s) received by Ms. Maribeth Taylor, resident of 1215 Holmes Street and Mr. David Flick, resident of 1228 Vine Street (public comments attached).

Guest Speaker: None

Reading of the Minutes:

A motion was made by Councilman Maritz and seconded by Councilman Myers to approve the public meeting minutes from June 09, 2020. Motion was adopted by acclamation.

Committee Reports:

- McKees Rocks Police Department April 2020 Activity Report (Attached)
- McKees Rocks Independent Volunteer Fire Department (Attached)
- Council Committees – No Report
- Council of Government (COG) – Councilwoman Delgado shared COG continues to meet monthly via ZOOM and COG is filing jointly for demolition funds.

Dentons Cohen & Grigsby, P.C.: A written summary was provided by Ms. Kim Hileman for Council to review for recent work between the Dentons Cohen & Grigsby Public Affairs Group (Dentons C&G) and McKees Rocks Borough for July 2020. Councilwoman Delgado is requesting moving forward that the report be read aloud during the meeting, so the public is aware what work Ms. Hileman is doing for the Borough.

Mayors Report: No Report

Communications:

- Borough Manager – A written Borough Manager's July 2020 report was provided to Council for review.
- Borough Engineer – Mr. Douglas Evans read the Capsule Engineer's Report and is recommending Council approval of adoption of Resolution for sewage planning module for Get-Go to connect to the public

sewage system as well as payment to State Pipe Services, Inc. in the amount of \$4,815.00 for sewer line cleaning on Leonard Street.

- Borough Solicitor – Ms. Megan Turnbull stated for public meeting minutes purposes that any items ready for Council consideration are listed as action items on the agenda.
- Building Code Official Monthly Activity Report (Attached)
- Code Enforcement Officer Monthly Activity Report (Attached)

Controllers Report: As of June 30, 2020, General Fund, both income and expenses have an annual budget of \$ 4,648,048.00. Expenses totaled \$ 2,063,421.96 or approximately 44.39% of annual budget. Balance remaining of the annual budget is \$ 2,584,626.04.
Balance remaining in the General Fund Checking Account is \$ 351,576.78 as of June 30, 2020.

As of June 30, 2020, Sewer Fund, both income and expenses have an annual budget of \$ 1,958,446.00. Expenses totaled \$ 945,863.26 or approximately 48.3 % of the annual budget. Balance remaining of the annual budget is \$ 1,012,482.74.
Balance remaining in the Sewer Fund Savings Account is \$ 697,504.52 as of June 30, 2020.

A motion was made by Councilman Brinza and seconded by Councilman Maritz to accept the Controllers Report. Motion was adopted by acclamation.

Bills:

A motion was made by Councilman Maritz and seconded by Councilman Myers to accept the bills. Motion was adopted by acclamation

Agenda:

1. A motion was made by Councilman Mixer and seconded by Councilman Myers to approve the Sewage Planning Module Resolution for Get-Go to connect to the public sewage system. Motion was adopted by acclamation.
2. A motion was made by Councilman Maritz and seconded by Councilman Myers to approve payment to State Pipe Services, Inc. in the amount of \$4,815.00 for sewer line cleaning work performed on Leonard Street. Motion was approved by acclamation.
3. Borough Solicitor Turnbull presented Borough Ordinance 1766, amending 1747 Fireworks limiting the time frame consumer fireworks cannot be set 10 pm – 6 am, which is ready for Council consideration. Councilwoman Delgado commented that the 6 am time is early, suggesting 8 am or 9 am. Councilwoman Delgado also is now questioning whether or not fireworks can be outlawed. Solicitor Turnbull doesn't believe fireworks can be banned but will research. Mayor Muhr responded he feels fireworks should be banned, as they are set off all hours of the night and we have to consider the senior citizens of the community. Solicitor Turnbull suggested she can continue to work on the Ordinance revision and do more research if Council would like to table the motion of Ordinance amendment. A motion was made by Councilman Maritz and seconded by Councilman Myers to table to approval of Borough Ordinance 1766, amending 1747 Fireworks. Motion was adopted by acclamation.
4. Borough Solicitor Turnbull presented an Accident Procedure Policy currently being incorporated into the McKees Rocks Police Department, which overall will be incorporated in other departments policies and procedures. Councilman Mixer questioned will this used as a contractual thing or under management rights. Solicitor Turnbull responded this would be discussed in an executive session as a collaborative manner with management and labor and union rights. A motion was

made by Councilman Myers and seconded by Councilman Maritz to approve the Accident Procedure Policy. Motion was adopted by acclamation.

5. Borough Solicitor Turnbull presented the Allegheny County Housing Authority Cooperation Pilot Agreement to Council, explaining that the ACHA would pay \$5,816.25 per year to the borough as well as pay the school district \$14,905.69 (and increase every 5 year period, no greater than 5 %) in lieu of taxes beginning December 2020, strongly suggesting Council consider approval of the agreement as the Allegheny County Housing Authority has tax exemption status as the long-term tenant of 20 years. A motion was made by Councilman Maritz and seconded by Councilman Myers to approve to Cooperation Pilot Agreement. Councilwoman Delgado opposed approving the agreement, motioning to table for further discussion as well as Councilwoman Harvey having other questions as well. Councilwoman Harvey seconded the motion to table. Roll call requested to table, resulting in 6 No (Mixer, Myers, Evich, Krisby, Maritz, Brinza) and 2 Yes (Harvey, Delgado) to table. Motion to table failed. Original motion to approve the agreement stands. Roll call requested to approve the agreement, resulting in 6 Yes (Mixer, Myers, Evich, Krisby, Maritz, Brinza) and 2 No (Harvey, Delgado). Motion carries.
6. Borough Solicitor Turnbull presented three (3) Allegheny County Vacant Property Recovery Program Resolutions on addresses 212 Sarah St., 330 Bell Ave, and vacant lot (Helen St) to Council for consideration. Without having additional current property details on record or full applications available for Council review, Councilwoman Harvey motioned to table this vote until next meeting to give Council time to research the addresses and review the full applications. Councilman Brinza seconded the motion. Solicitor Turnbull confirmed full applications will be sent to Council via email during the next business day. Motion was adopted by acclamation.
7. Councilwoman Harvey brought up a concern regarding clothing/shoe donation bins that have just become "dumping zones" in the community, specifically noting two locations of Tastee Freeze and Agnes Street. Councilwoman Harvey noted there have been large items such as TV's, computers, Christmas trees recently dumped which is just becoming an eye sore for the community and is requesting to have these donation bins be removed. If the Street Department is not going to remove these items, the items will just continue to pile up and become a problem for the borough. All council members agree to have the bins removed. Solicitor Turnbull commented we can request to have the bins removed as long as the bins are on borough property. If the donation bins are on private property, it becomes a code enforcement issue. Councilman Brinza mentioned there is another donation bin behind St. Mary's Church.
8. President Krisby presented to block off Baltimore Alley on July 23, 2020 for Faithbridge Community Church Annual Block Party. A motion was made by Councilman Myers and seconded by Councilwoman Delgado to approve the request to block off Baltimore Alley 7/23/2020. Motion was adopted by acclamation.
9. Councilwoman Delgado presented the revised Animal Ordinance including care of community & feral cats (previously discussed in April 2020 meeting) and would like to have it advertised for Council adoption at the August meeting.
10. Councilwoman Delgado noted that on Ms. Hileman's report is a potential RACP grant for a minimum \$1 million dollars that she would like to apply for, but is questioning does Ms. Hileman know that the borough would have to match 50 % of the funds which would be \$500,000 or more and does the borough even have that amount of money available. Councilwoman Delgado also wants Council to really think about is the work Ms. Hileman doing really benefiting the borough vs. private developers or the county directly and is it worth the yearly contract amount of \$60,000. Can we work with individual grant writers for less money and get the same amount of work?

11. Councilwoman Delgado presented the Allegheny Grows program, which is accepting applications through 10/1/2020 for a community garden in Spring 2021 if Council wants to think about any vacant property/location in the borough to consider. President Krisby suggested Council think about a location and bring to the next meeting.

Old Business:

Councilwoman Harvey asked Solicitor Turnbull if she heard anything back about the bus shelter move to Rite Aid. Solicitor Turnbull has not had any response at this time and will look into making it a priority to make contact with Port Authority (possibly go in person) and will follow up with more information at an upcoming meeting.

A motion was made by Councilman Harvey to request an executive session to discuss personnel and legal issues with the Borough Solicitor, Council, and Mayor. Councilman Myers seconded the motion. The business portion of the meeting was adjourned by President Krisby.

Dear Council,

I want to address The Giant Eagle special exception proposing the development of a Gas Station with Convenience store on a lot within the "C-2" Commercial District. Under C-2 Zoning District regulations.

My understanding is the Zoning Commission approved the exception and now it is the hands of council.

Per the Borough website this month meeting agenda item 4. GetGo Special Use Application – Presenter: President Krisby will be a topic of discussion.

About 30 years ago council members were in the same position as this seated council. For two parcels On Island Avenue. At that time the attitude was that something was better than nothing. Fast forward 20 years take a look at where the Stop n Go and BP are located on Island Ave all of the 911 calls for police because of illegal activity fights and other offenses.

Once quiet and prospering neighborhood now ravaged with abandon homes, blight and residents whose rights to a peaceful living has been taken away because of that decision. The arrogance that something is better than nothing has resulted in the negative impact on the residents of that area.

I submitted a letter last month urging council to deny the gas station exception. I brought up the possible health issues it will bring to the neighborhood, additional unwanted traffic to now quiet streets, I even reminded that a day care two blocks away was voted down by council a few years ago because of the disruption it would bring to a peaceful area and the addition traffic and insufficient parking. Council understood the nuisance that those issues would cause to a residential area and rightfully denied the exception.

I PLEAD that this council does not make the same mistake that was made 30 years ago and agree that something is better than nothing. Please don't destroy another residential area in McKees Rocks. Do as the council that DENIED an exception for a day care did. VOTE no to the exception.

Be strong like the council just before you and understand that McKees Rocks can not continue to destroy our strong neighborhoods. The road right behind the proposed gas station – Greydon Avenue, was once known as millionaire row. Not because millionaires lived there but because of the beautiful homes and the storybook neighborhood. These homes and residents still exist in

that location. But like the beautiful homes on School street were, so will the homes on Greydon Ave and surrounding area be in danger if you allow for the exception of a gas station.

As I pleaded this case last month, I was accused of being against business and new development That is false! I support businesses and good development, that is beneficial for McKees Rocks and will help McKees Rocks grow. I don't believe we should continue in the failed thought process that anything is better than nothing.

I support the convenience store but better yet if Giant Eagle wants to support what they claim as being community oriented why don't they bring in OK Grocery. McKees Rocks is practically a food desert. One that could support a full grocery store like Ok Grocery.

I beg each one of you to stand up for the people of McKees Rocks know that we deserve better than a gas station, be concerned about ours and your health and safety. Please reach out to Giant Eagle and convince them that an OK Grocery would be much more beneficial for the community and a better financial investment for Giant Eagle.

PLEASE VOTE NO ON THE EXCEPTION FOR A GAS STATION!

McKees Rocks Borough has a total area of 1.1 square miles we already have 3 gas station/convenience stores do we really need more. Is that the only kind of business the people of McKees Rocks deserves?

A little reminder: About 2 years ago 5 members of this council voted in support of speedway. At which time they stated they believed the speedway would bring other development and that the Borough was promised once Speedway opened that an office building would be built on the lot adject to it. Here we are almost a year after speedway has been opened and there has been no movement for that office building. Last time I drove past the intended area it appeared to have turned into a tractor trailer parking lot.

Council please note: It is ok to change your mind when you have had time to consider all the factors and how your decision will impact the community for years to come.

The solution is an easy one. Council has the last say all you need to do is VOTE NO on an exception to allow a gas station at this location! Please Vote NO.

On a last note: The Borough web site states "Please note that the public will be muted or otherwise expected to quietly observe during the meeting in order to allow an orderly meeting. I can understand and respect this however when the Borough allows others to comment on a communication, I hope the borough is fair and allows for residents to provide feedback or comments on same subject.

Thank you

Maribeth Taylor

[REDACTED]

[REDACTED]

Tonight's Council Meeting

David Flick [REDACTED]

Tue 7/14/2020 11:37 AM

To: LeeAnn Wozniak <adminassistant@mckeesrockspa.us>

Dear Miss Wozniak,

Please include me the attendance list for tonight's Council meeting. Also, please include the following three (3) items as my public comments.

#1. As it is fact that the McKees Rocks First campaign, headquartered in Sewickley PA, was managed and SOLELY financed by Craig Rippole of Trinity Development, today I will renew my request for Council members Brinza and Miritz to recuse themselves from votes regarding Trinity Development and/or Craig Rippole because of the obvious conflict of interest participation in such votes presents.

#2. In my opinion, both the McKees Rocks Planning and Zoning commissions paid nothing but 'lip service" to the concerns of the community regarding the impact of the GetGo project. Traffic from Vine to Greydon to Chariers will increase as will the danger to children playing on those streets. The Council should table this vote until certain safety concessions can be secured from Giant Eagle such as additional speed limit signs, speed indicators such as those on Carson Street and other sensible solutions.

#3. Asking residents to comment before a public meeting is held while not having a system for comment during the meeting is at the very least restrictive to the flow of ideas. While the Borough is holding virtual meetings it should be using a software platform that allows for "real-time participation" by all in attendance.

Thank you and have a lovely day!

David Flick

[REDACTED]
McKees Rocks, PA 15136
[REDACTED]