

McKees Rocks Borough  
Virtual Public Meeting  
January 12, 2020

**7:00 PM Public Meeting**

**Pledge of Allegiance**

**Roll Call:** Councilmembers Present: Councilman Joe Mixer, Councilwoman Sarah Harvey, Councilman Archie Brinza, Councilwoman Leslie Walker, Councilwoman Elizabeth Delgado, Councilman Charles Maritz, and Councilman Craig Myers  
Councilmembers Absent: Vice-President Kathy Evich

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

**Agenda Comments/Changes:**

Resignation of Council President/Ward 2 Council Seat: Borough Solicitor Turnbull advised that Mr. Paul Krisby has put in his resignation from Council, Ward 2 and the role of Council President effective January 8, 2021. Once Council accepts the resignation by motion, there is a thirty-day window to fill the vacancy by nominations. A motion was made Councilman Mixer and seconded by Councilman Brinza to accept Mr. Paul Krisby's resignation from Council, Ward 2. Motion was adopted by acclamation.

Borough Solicitor suggested that Council now should consider making a motion to open the floor for nominations of Council President. A motion was made by Councilman Maritz and seconded by Councilman Brinza to open nominations. Motion was adopted by acclamation. Borough Solicitor advised that the process of nominations goes as follows: Solicitor will ask for names of nominations, which will not need seconded. If Council member is not interested, may decline nomination. Once all nominations are motioned, Borough Solicitor will close the floor. Nominations are then taken for a vote in sequence of how nominations were motioned, and the first to receive a vote of 4 out of 7 becomes the new Council President. Councilwoman Walker nominated Councilman Brinza (nomination accepted) and Councilman Mixer nominated Councilman Maritz (nomination accepted). Floor for Council President nominations closed by Borough Solicitor. Borough Solicitor asked for Council consideration of Councilman Brinza as Council President, as he was first nominated as explained earlier. All in favor, none opposed. Vote 7 Yes - 0 No. Meeting now turned over to Council President Brinza.

Council President Brinza suggested that if Council is in agreement, he would like to consider nominations for a new Vice-President at this time. Borough Solicitor confirmed that Council at any time can reorganize and may also consider a position called President Pro-Temp, who would be 3rd in line to serve if by chance both Council President and Vice-President absent. President Brinza confirmed that changing

the position of Vice-President at this time will not affect Ms. Kathy Evich's seat on Council, which will remain active until end of term 2021. All in favor, none opposed. Borough Solicitor opened for floor for Vice-President, asking for nominations. Rules are same as previous nomination process. Councilman Myers nominated Councilwoman Walker (accepted) and Councilwoman Harvey nominated Councilwoman Delgado (accepted). Floor for Council Vice-President closed by Borough Solicitor. Borough Solicitor asked for Council consideration of Councilwoman Walker as Council Vice-President, as she was first nominee. Borough Solicitor asked for Council vote. All in favor, none opposed. Motion was adopted by acclamation. Councilwoman Walker is now Council Vice-President.

Borough Solicitor asked if Council was now interested in making a motion to open nominations for the position of President Pro-Temp. A motion was made by President Brinza and seconded by Councilwoman Harvey to open nominations. President Brinza nominated Councilman Maritz (declined) and Councilwoman Harvey nominated Councilwoman Delgado (accepted). Borough Solicitor closed the floor and asked for Council vote of Councilwoman Delgado as President Pro-Temp. 6 Yes - 1 No (Mixer). Motion carries.

President Brinza thanked Mr. Paul Krisby for his years of service and leadership. Borough Solicitor concluded the reorganization advising Council now has the legal responsibility that Council must fill the Ward 2 vacancy within 30 days. Borough Solicitor suggested filling the council vacancy by either advertising the vacancy or asking for letters of interest be sent into the borough for review by Council. Council would then appoint the new Council member at the February 2021 meeting. A motion was made by Councilwoman Harvey and seconded by President Brinza to advertise the vacancy/ask for letters of interest. Motion was adopted by acclamation.

**Guest Speaker:**

Mr. James Tarbert, McKees Rocks VFD President was present to address Council regarding the McKees Rocks Volunteer Fire Department. He thanked Mr. Nick Raoycis, who recently retired as Fire Chief for his years of service and dedication. He also wanted to let Council know that he is always available for open communication between the Fire Department and the Borough. Council members had conversation with Mr. Tarbet regarding budgetary line items of the Fire Department and how much money the borough gives to the Fire Department, as a volunteer department. According to Mr. Tarbert, the 2021 preliminary budget for the Fire Department shows a total of \$143,920.66. Councilman Mixer commented that the Volunteer Fire Department is dependent on the Borough and he doesn't recognize the current election results. Councilman Mixer requested any voting regarding the Fire Department's recent election results be tabled until next meeting. President Brinza indicated there was nothing on the agenda to vote on at this time. Borough Solicitor suggested this topic be discussed during an executive session. Councilman Maritz commented that the Fire Department will continue to operate under Mr. Michael Stepek, Sr. as the department has been for previous month(s), per Mr. Paul Krisby's past directive.

Ms. Maribeth Taylor, resident was present to address Council regarding various concerns. Ms. Taylor began by congratulating the Borough for the \$1 million dollar blight remediation grant recently awarded. She then began to discuss her concern(s) regarding the recent special meeting advertisement to discuss and consider a sewer rate increase in 2021. Ms. Taylor reviewed the proposed Ordinance and doesn't understand where the amounts are coming from, suggesting the way the Ordinance is written is very confusing. She also expressed concern that before the Borough Council agrees to raise the sewer rate, Borough staff should look for ways to reduce spending in other areas. Ms. Taylor completed a Right to Know request recently, to review the Borough's budget/expenses mentioning areas that could be reduced such as janitorial supplies, paying two legal services, pest control, mat service, advertising fees to name a few. Ms. Taylor even commented on the current garbage contract calling it "a joke." Ms. Taylor also compared the wages of previous Borough Secretaries to the current Borough Manager as well as mentioning there are now two full-time assistants, compared to one assistant in the past. Ms. Taylor is asking Council to really consider not raising the sewer rate, especially at a time of a pandemic when many people are not working.

Councilman Mixter responded to Ms. Taylor's comments saying that the Borough does have more people working in the office than ever before, but the Borough has more money than ever before. Councilman Mixter commented that previous years (before the current Borough staff's employment), the Borough was in the red regarding revenue, suggesting \$500,000.00 walked out the door to the McKees Rocks CDC.

#### **Reading of the Minutes:**

A motion was made by Councilman Myers and seconded by Vice-President Walker to approve the public meeting minutes from December 15, 2020. Motion was adopted by acclamation.

#### **Committee Reports:**

- McKees Rocks Police Department November 2020 Activity Report (on file at the Borough Manager Office)
- McKees Rocks Independent Volunteer Fire Department December 2020 Activity Report and End of Year Report (on file at the Borough Manager Office)
- Council Committees: Real Estate Committee Member Councilwoman Harvey discussed as previously mentioned by Ms. Maribeth Taylor, that the Borough received a \$1 million dollar grant for blight remediation which will include remediation of 10 houses on Woodward, Rose, and Bouquet Street. The approximate time for seeing any change will take 18-24 months.
- Council of Government (COG) – Councilwoman Delgado commented that Mr. Jay Gilmer from City of Pittsburgh set up a phone conference regarding the stop the violence initiative previously presented to Council last year, to discuss implementing in the municipality. Councilwoman Delgado also indicated receiving an email from COG saying the borough is going to get \$23,000.00 from the DCED grant and must choose the project by end of month, either Boquet Street Steep or Broadway Ave. curb ramps, no demolitions permitted.

**Dentons Cohen & Grigsby, P.C.:** No report received

**Mayors Report:** Mayor Muhr reported meeting with the property owner of 1013 3<sup>rd</sup> Street since last meeting. Mayor Muhr went with President Brinza, Vice-President Walker and Councilman Maritz to the

property of 1011 3<sup>rd</sup> Street to see the conditions/concerns owner of 1013 3<sup>rd</sup> Street was talking about last month's meeting. The matters at hand are all civil matters. The property has a lot of garbage/debris, poor conditions. Mayor Muhr also commented about numerous police calls at 96 Helen Street, where Mercy Behavioral Health tenants are residing. Mayor Muhr is asking if the Borough can pass an Ordinance restricting these type of tenants/housing in the Borough. Borough Solicitor responded it can be looked into. Mayor Muhr also said multiple police calls to a property on Hamilton Street, for false security alarms.

**Communications:**

- Borough Manager – Ms. Ruth Pompey provided the Council end of year reports for the Sewer Fund and General Fund. Ms. Pompey mentioned the Sewer Fund shows a negative ending amount, which is the reason for the suggested sewer rate increase in 2021. The Borough has a lot of critical sewer line repairs, which is an increase in expenses. Controller Beck questioned the end of year reports, suggesting the amounts do not reflect his Controller's Report making his report inaccurate. Borough Manager Pompey responded saying if there are any amounts showing in question, Council can ask her directly for an explanation. Borough Manager Pompey advised the Code Enforcement Officer posting will be advertised by end of January 2021. Borough Manager Pompey also mentioned still gathering information regarding the vehicle accident with the McKees Rocks VFD fire truck, having trouble
- Borough Engineer – Mr. Douglas Evans read the monthly Capsule Engineer's Report to Council. Mr. Evans is recommending Council consideration to approve the \$23,000.00 COG Grant for Bouquet Street Steep repair as the approximate repair is around \$23,000 which would be completely covered. The Broadway Curb Ramp project approximate amount is \$35,400. A motion was made by Councilman Mixer and seconded by Vice-President Walker to approve the Bouquet Street Steep Project for the COG grant. Motion was adopted by acclamation.
- Borough Solicitor –Ms. Megan Turnbull stated for meeting minute purposes that an executive session will follow the business portion of the meeting to discuss pending litigations and any other matters at hand.
- Building Code Official Monthly Activity Report - A written December 2020 activity report was provided to Council for review by Mr. John Stahl, and on file at the Borough Manager's office. Councilwoman Harvey asked if Mr. John Stahl was currently doing Code Enforcement work, while currently hiring for one.

**Controllers Report:** As of December 31, 2020, General Fund, both income and expenses have an annual budget of \$ 4,648,048.00. Total income for the year was \$4,915,290.07 or 105.75% of the budgeted income. Expenses totaled \$4,745,355.33 or approximately 102.09 % of the budgeted expenses. Balance remaining in the General Fund Checking Account at the end of 2020 fiscal year is \$443,492.01.

As of December 31, 2020, Sewer Fund, both income and expenses have an annual budget of \$1,958,446.00. Total income for the year was \$1,454,815.95 or 74.25% of the budgeted income. Expenses were \$1,872,313.73 or 95.6% of the budgeted expenses. Balance remaining in the Sewer Fund at the end of the 2020 fiscal year is \$470,228.07.

A motion was made by Councilman Myers and seconded by Vice-President Walker to accept the Controllers Report. Motion was adopted by acclamation.

**Bills:**

A motion was made by Councilman Maritz and seconded by Vice-President Walker to accept the bills. Motion was adopted by acclamation.

**Agenda:**

1. Borough Manager Pompey suggested GPS systems be installed on all borough vehicles for safety (tabled from December 2020 meeting). Police Department vehicles already have GPS, this would include Street Department and Code Enforcement vehicles. GPS would track where employees are at all time, and vehicles should be within Borough limits. Councilman Myers asked how much expense would it cost to the Borough. Borough Manager confirmed approximately \$40/per vehicle, no activation fees. Councilwoman Harvey motioned to not move forward in purchasing GPS at this time, as nothing serious has happened to warrant GPS installation. Motion was seconded by Councilwoman Delgado. Vice-President Walker opposed. Roll Call requested, resulting in 6 No – 1 Yes (Walker). Motion carries.
2. Borough Solicitor Turnbull presented the current 2021 Zoning Hearing Board, Planning Commission, and Civil Service members indicating any members with expiring or soon to expire terms should be considered by Council for reappointment. The only member to consider for reappointment at this time is Mr. Nick Radoycis of the Zoning Hearing Board with an expiration of 2021. A motion was made by Councilman Maritz and seconded by Vice-President to reappoint Mr. Nick Radoycis to the Zoning Hearing Board. Borough Solicitor indicated this reappointment is for a term of 4 years, through 2025.
3. Borough Solicitor Turnbull presented Borough Ordinance 1769 – 2021 Sewer Rate change, commenting the Ordinance has been advertised and will be presented during the Special Council Meeting next week for Council consideration. Ms. Taylor is requesting the amounts on the Ordinance be explained, as the current numbers showing do not make sense. Borough Solicitor responded she will review the amounts again before the next meeting, confirming the proposed borough sewer rate amount is \$6.00, an increase of \$1.68 from current rate.
4. Borough Manager Pompey presented payment no. 1 in the amount of \$33,646.96 to Insight Pipe Consulting, LLC for 2020 Sewer Cleaning and Televising, requesting Council approval. A motion was made by Councilman Mixter and seconded by Vice-President Walker to approve the payment. Motion was adopted by acclamation.

A motion was made by Councilwoman Harvey and seconded by Vice-President Walker to adjourn the business portion of the meeting. Business portion of meeting adjourned by President Brinza. Borough Solicitor Turnbull requested an executive session to discuss litigation/legal matters.