

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

The meeting was called to order by President of Council, Mr. Paul Krisby. President Krisby requested roll call. Present were Council Archie Brinza, Council Elizabeth Delgado, Council Charles Maritz, Council Leslie Walker, Council Craig Myers, Council Sarah Harvey, and Council Joe Mixer. Also present were Mayor John “Jack” Muhr, Borough Manager Ruth A. Pompey, Controller Julia Chambers, and Administrative Assistant LeeAnn Wozniak. Borough Engineer Mr. Douglas Evans from NIRA Consulting Engineers and Borough Solicitor Ms. Megan Turnbull, of Weiss Burkhardt Kramer, LLC were present. Vice-President Kathy Evich participated via phone.

Agenda Comments/Changes: None

Guest Speaker:

- Mr. Pat Avolio, Real Estate Developer of Giant Eagle was present to give Council and all in meeting attendance the preliminary development plans of the McKees Rocks GET GO at the Pat Catan's lot on Chartiers Avenue. Mr. Avolio advised he has been in working contact with NIRA during all preliminary planning and will continue to work with Mr. Evans as well. This will be a brick, light tan building facing Chartiers Avenue, as a single floor, box style setting building.

Councilwoman Delgado asked Mr. Avolio if a traffic study was conducted. Mr. Avolio responded that he would work with Mr. Evans in the future if a traffic study would need conducted. Mr. Avolio also reassured the alley way would not be utilized, only Chartiers Avenue as the entrance/exit.

- Mr. Fred Rauschert, owner of 205 Sarah Street was present to address Council regarding Waste Management continuously running over his side walk with the garbage truck for years causing property damage and Waste Management refusing to take responsibility. Mr. Rauschert claims he has made numerous phone calls even recently to his insurance company for the damage, and now Waste Management is telling him to call the borough. Mr. Rauschert has video footage and photos of Waste Management causing the sidewalk damage that he will bring to the borough, if the borough would be willing to assist him in any way.

- Ms. Lauren Rauscher, representative of the American Heart Association was present to share a “no-cost” program available to McKees Rocks called “WalkWorks” that could bring a walking trail to the community. Ms. Rauscher is asking for Council support in the first step of the process of obtaining a “Walkability assessment” of deciding on a community walking map, in conjunction of working with the F.O.R. by holding a launch party in early Spring 2020.

- Mr. Benjamin Pushin, Pittsburgh restaurant owner was present to address Council with a proposal to open a restaurant/lounge at the closed Subway location in the McKees Rocks Plaza. Councilwoman Harvey asked Mr. Pushin if he owns any other restaurants. Mr. Pushin owns one other local restaurant called Aces & Duece's Lounge (Hill District), which he agrees is a problem area. President Krisby asked if Mr. Pushin is applying for the appropriate licensing, etc. Mr. Pushin advised he owns his liquor license and is transferring

from Gino's Bar, and will be serving various bar foods like burgers, wings, and fried food. Councilman Brinza asked Mr. Pushin what time will his restaurant be open for business. Mr. Pushin responded he will be open for all hours of operation, probably closing around midnight. Councilwoman Delgado asked if Mr. Pushin has any type of security arrangements if anticipating being open so late. Mr. Pushin responded having security everyday.

- Mr. David Flick was present to notify all Council members that Mr. Craig Rippole was the sole financial supporter and Campaign Manager for the McKees Rocks 1st Committee and council nominees Craig Myers, Archie Brinza and Charles Maritz (\$6,4754.00). Mr. Flick feels that going forward, Councilman Brinza, Myers, and Maritz should recuse their votes from anything involving Mr. Rippole and/or Trinity Development.

- Ms. Kathy Egleston was present to ask Council how the McKees Rocks CDC is associated with the borough and where all the money has gone over the years. Ms. Egleston wants to know if the borough can hire a lawyer and investigate where all the CDC's money has gone and why has all the buildings dilapidated over the years. Councilwoman Delgado responded without knowing specifically what amount of money Ms. Egleston is talking about, she referred Ms. Egleston to go online to the CDC's website where all the financials are listed online for public record.

Last Month's Minutes:

A motion was made by Councilwoman Walker and seconded by Councilman Brinza to accept the reading(s) of the public meeting minutes of December 10, 2019 and January 6, 2020. Motion was adopted by acclamation.

Committee Reports: None

Council of Government: Councilwoman Delgado will be sending out COG's January 2020 takeback sheet to Council for review via email.

McKees Rocks Independent Volunteer Fire Department provided a written report for the month of December 2019. There were a total of 28 calls, in which 12 were false alarms. 5 of them were at Hays Manor, 2 at Buildings 7 & 8, one each in Buildings 11 – 14, 17 & 18 and 19. There were also 5 false alarms at 1218 Holmes Street. Response also included 5 motor vehicle accidents, 1 gas leak (or smell of gas), 1 water condition, 2 PD assist, 2 EMS assist, and 2 CO calls. Also responded to 2 structure fires, and no one was hurt on any of the calls in December.

To all alarms, response includes the following: Engine 189, 9 times, Engine 189-2, 5 times, Utility 189, 7 times, Truck 189, 1 time, and persons in private vehicles responded directly 15 times. Cancelled en route 7 times. Mutual aid provided on all calls by Presston Station 277. In addition, we received mutual aid one time from Station 275, Stowe, 181 Kennedy, and 251 Seville for a structure fire and provided aid to Kennedy Station 181 one time for a structure fire. Total of 161 people responded to the calls in December, averaging 5.75 persons per call. Members are doing final inspections on the new quint truck and delivery will be next month (February).

McKees Rocks Police Department provided a written report for December 2019. A total of 790 events were reported. There were 163 cases reported, 60 arrests, and 34 citations (26 traffic, 5 non-traffic, 3 borough weight citation). 31 vehicle impounds. Total mileage on patrol vehicles 3,953. Total money submitted to the Borough Manager was \$ 1,777.73.

Mayors Report: No report.

Public Affairs Report: No report.

Borough Manager's Report: Ms. Pompey provided Council a YTD 2019 packet of financials for review.

Borough Engineer Report: Written Borough Engineer's Capsule Report January 2020 provided to Council for review. Voting item(s) included for Council consideration.

Borough Solicitor Report: Borough Solicitor prepared an Interim Property Assessment Ordinance for Council review and is requesting an Executive Session to discuss personnel issues, litigation updates, and Street Department contract negotiation updates.

Building Code Official Report: Written Monthly Activity Report provided to Council for review.

Code Enforcement Officer Report: Written Monthly Activity Report provided to Council for review.

Controllers Report:

As of December 31, 2019 General Fund, both income and expenses have annual budget of \$3,883,598.00 Expenses totaled \$ 4, 001, 278.22 or approximately 103 % of annual budget. Annual budget was over budget by \$ 117, 687.22 or 3 %.

Balance remaining in the General Fund Checking Account is \$ 326, 332.36 as of December 31, 2019.

As of December 31, 2019 Sewer Fund, both income and expenses have an annual budget of \$1,773,996.00. Expenses totaled \$ 1, 788, 190.08 or approximately 100.8 % of the annual budget. Annual budget was over budget by \$ 14, 194.08 or .8 %.

Balance remaining in the Sewer Fund Savings Account is \$ 798, 575.79 as of December 31, 2019.

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

Bills: A motion was made by Councilman Myers and seconded by Councilman Brinza to pay the bills. Councilwoman Harvey opposed. Councilwoman Delgado questioned the two line items "donations for X-mas party" payable to Leslie Gee. Borough Manager explained the checks were given to Ms. Gee to pay for the Hays Manor community Christmas party, when the monies were held in escrow with borough. Roll call requested, resulting in 8 Yes, 1 No (Harvey). Motion carries.

A motion was made by Councilwoman Walker and seconded by Councilman Maritz to break for executive session to discuss litigation issues, personnel issues, and Street Department contract negotiations previously requested by Borough Solicitor. Business portion of meeting temporarily adjourned at 7:54 PM.

Business portion of public meeting re-convened at 8:41 PM.

Agenda:

1. A motion was made by Councilman Maritz and seconded by Councilman Brinza to approve final payment to T.A. Robinson Asphalt Paving, Inc. in the amount of \$6,444.05 for Adrian Street paving project. Motion was adopted by acclamation.
2. A motion was made by Councilman Myers and seconded by Councilwoman Walker to advertise Ordinance No 1765 Interim Property Assessments. Motion was adopted by acclamation.
3. A motion was made by Councilman Maritz and seconded by Councilman Myers to accept the Jose Reyes settlement agreement ratification. Motion was adopted by acclamation.
4. A motion was made by Councilman Harvey and seconded by Councilman Myers to approve use of Council Chambers on March 5, 2020 for meeting space 1pm – 3pm for CONNECT group free of charge, to hold their monthly group meeting. Motion was adopted by acclamation.
5. A motion was made by Councilman Maritz and seconded by President Krisby to approve a 3 % salary raise for the Building Code Official, effective January 1, 2020 with the implementation and adoption of the 2020 operating budget. Motion was adopted by acclamation.
6. A motion was made by Councilman Maritz and seconded by Councilman Brinza to approve a pay rate of \$20.00 per hour for the Assistant Borough Secretary position effective January 1, 2020 with the implementation and adoption of the 2020 operating budget. Councilwoman Harvey opposed. Roll Call resulted in 8 Yes – 1 No (Harvey). Motion carries.
7. A motion was made by Councilman Myers and seconded by Councilman Walker to increase pay rate of Code Enforcement Officer pay rate of \$1.00 per hour effective January 1, 2020 with the implementation and adoption of the 2020 operating budget. Motion was adopted by acclamation.
8. A motion was made by Councilman Myers and seconded by Councilman Maritz to approve a 3 % salary increase for the Borough Manager, pending a new Borough Manager agreement. Motion was adopted by acclamation.
9. A motion was made by Councilman Myers and seconded by Councilwoman Walker to approve a 3 % pay raise for the borough custodian effective January 1, 2020 with the implementation and adoption of the 2020 operating budget. Motion was adopted by acclamation.
10. A motion was made by Councilwoman Harvey and seconded by Councilman Brinza to allocate \$1000.00 of the 2020 operating budget to the Sto-Rox Public Library. Motion was adopted by acclamation.

New Business:

2020 Council Committees – President Krisby presented Council with the new 2020 Council Committees List (see attached)

Councilwoman Delgado suggested to Council that the borough join a yearly subscription to PSAB program that gives Council and any borough staff free and discounted access to online training webinars. The cost to join is \$450.00. The fee must be paid by January 30, 2020. Councilwoman Harvey seconded the motion to sign up for the yearly subscription and have the borough pay for the fee. The motion was adopted by acclamation.

President Krisby made a motion to send the Borough Manager to the GFOA Conference in New Orleans in May 2020, with a borough stipend of no more than \$2,500.00 for travel expenses. Councilwoman Walker seconded the motion to send the Borough Manager to the GFOA Conference training. Motion was adopted by acclamation.

Councilman Maritz commented that a resident stopped him regarding a car accident that occurred on Singer Avenue/Pine Hollow Road. Councilman Maritz is asking for "Oncoming Traffic Does Not Stop" to be put in place at the intersection, as oncoming traffic does not stop. Borough Solicitor indicated that a traffic study would need to first occur as well as an amendment to the traffic Ordinance, but the Mayor has the authority to put a temporary traffic restriction sign up as a quick safety implementation. A motion was made by Councilman Myers and seconded by Councilwoman Delgado to draft and advertise an amendment to the traffic Ordinance. Motion was adopted by acclamation.

Councilman Mixer briefly wanted to discuss the use and misuse of borough funds. Prior to Ruth Pompey's employment in 2016, the borough would just pay bills and didn't review any documents or compare contracts. One main example Councilman Mixer explained was the borough using BIU for property inspections, building permit operations, etc in which consumed 80 % of borough revenue. For example, if the borough brought in \$300,000 in building permit fees/rental inspection fees, BIU would get \$240,000.00, leaving the borough only \$60,000.00. The Borough Manager examined this contract in detail and decided to terminate the contact and hire a Borough Code Official, increasing borough revenue for 2 plus years. Councilman Mixer also commented that Ms. Tracey Pedersen, Borough Tax Collector was present in audience with borough audit information dating back to 2016 if anyone in the audience would like to review to see that the Borough Manager has made extreme positive progress in many areas.

Councilman Mixer also briefly commented on the positive difference how the Planning Commission Board is run since the change of board members in 2018, when the planning commission members took it upon themselves to attend a training to educate themselves on the duties and responsibilities of the appropriate procedures of a planning commission.

Old Business:

Mr. Dwayne Grimes, McKees Rocks resident/business owner was present to continue the discussion regarding the McKees Rocks CDC's Streetscape project on Chartiers Avenue that only has a "certain plan" in mind that started many, many years ago. Mr. Grimes is questioning why the CDC isn't willing to work with any other business owners on the plan, indicating Mr. Grimes has had to personally go to the state to maintain his space on Chartiers Avenue because the CDC has taken it upon themselves to try removing Mr. Grimes space in the "plan" without permission and relocate them down near the railroad property. The only building that has been developed since the plan has been initially developed is the Roxian Theatre, which is bringing positive attraction to the community. Mayor Muhr wanted to confirm that the McKees Rocks CDC has no control over the borough and development.

A motion was made by Councilman Maritz and seconded by Councilwoman Walker to adjourn the business portion of the public meeting. Meeting was adjourned, by President Krisby.