

McKees Rocks Borough
Public Meeting
March 12, 2019
7:00 PM

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

Agenda Comments/Changes:

Mr. Sam Nucci, President of Char-West COG briefly addressed Council regarding the municipalities’ participation with COG. Mr. Nucci is asking that we, the Borough, continue to work with the COG in the upcoming months to provide service in the future and consider maintaining our membership at renewal time.

Special Hearing – Roxian Live, LLC

Borough Solicitor Megan Turnbull stated for meeting minute purposes that this special hearing is to consider a Borough Resolution to approve a transfer of liquor license to the Roxian Live, LLC as per the liquor code. This also gives any members of audience or Council the opportunity to give comment. No comments were made. A motion was made by Council Mixter and seconded by Council Myers to approve Borough Resolution No. 6100 allowing the transfer of liquor license into McKees Rocks Borough from the City of Pittsburgh for Roxian Live, LLC. Motion was adopted by acclamation.

Planning Commission Recommendation to Council

Planning Commission recently held a public hearing on 03/08/2019 to consider a variance request submitted by the F.O.R. to construct a playground on a current vacant lot known as 416 Chartiers Avenue. Planning Commission recommends approval, pending final approval by the Zoning Hearing Board. A motion was made by Council Gee and seconded by Council Harvey to accept the Planning Commission’s recommendation, pending final approval from the Zoning Hearing Board. Motion was adopted by acclamation.

Guest Speaker:

- Mr. Carolyn Yagle was present to provide updates to Council regarding the Borough’s rezoning. A hand-out was provided explaining three approaches to redevelopment and zoning requirements. Ms. Yagle commented that at this time, based on previous meetings with different focus groups that approach # 1 is looking like the best option for the Borough, general public, and developers involved as whole. Ms. Yagle is asking the Council for direction on how to proceed at this point, based on the hand-out provided and verbal information given.
- Ms. Tracey Pedersen, member of the McKees Rocks Historical Society was present to provide Council with accurate information regarding the Indian Mound Repatriation at Ranger’s Field. Ms. Pedersen

explained in detail the project plan estimate to be 1-2 years, but could take up to 5 years. Ms. Pedersen is requesting Council to consider voting to authorize Borough Solicitor to begin step 1 of the legal process of a land covenant for two parcels. A motion was made by Council Myers and seconded by Council Gee to authorize Borough Solicitor to begin the legal process of land covenant. Motion was adopted by acclamation.

- Ms. Michelle Heil (DeFade), member of Kitty Queen Rescue in Kennedy Township was present to address Council about the stray cat population in our town and also provide education on the TNR Program (Trap/Neuter/Return). Ms. Heil asked Council to consider donating on an annual basis to assist in the cost of the TNR Program in efforts to control the stray cat population in our town. President Krisby advised Ms. Heil that Council will take this request into consideration and discuss in detail at a later time.

- Ms. Kate O'Brien was present to address Council regarding the town's recent conflict of "racial vulgarity/slurs." Ms. O'Brien commented that she hears it coming from both sides, on a daily basis of all ages. Ms. O'Brien is offended that people consider this type of offensive talk "freedom of speech". Ms. O'Brien feels that we need to monitor our interactions with each other on a daily basis.

Last Month's Minutes:

A motion was made by Council Mixter and seconded by Council Myers to dispense the reading of February 12, 2019 public meeting minutes. Motion was adopted by acclamation.

Committee Reports:

- Mayor Muhr read the February 2019 activity report from the McKees Rocks Independent Volunteer Fire Department. The Fire Department received a total of 31 calls. There were 7 false alarms, 5 at Hays Manor, 2 in Buildings 11-14, 1 in Buildings 15&16, 19, and 20&21. Response also included 8 motor vehicle accidents, with 1 being a 3-alarm accident on the McKees Rocks Bridge with multiple extractions, 1 haz mat call, 5 gas leaks, 1 EMS assist, 2 wires down, 1 elevator rescue, and 1 water leak. There were 3 structure fires, 1 on Munson Avenue as a 4-alarm fire, requiring mutual aid from 10 other departments. Four firefighters were injured during the month of February.

Engine 189 responded to 16 incidents. Engine 189-2 seven times, Truck 189 – two times, Rescue 189 no response, Utility 189 no response, and persons in private vehicles responded directly to scene 19 times. VFD cancelled enroute 14 times. Mutual aide provided by Presston Station 277 on all calls. City of Pittsburgh's Engine 35 and Bellevue Station 108 responded to the crash of the McKees Rocks Bridge, as did Stowe Station 275. To all structure fires, Seville Station 251 responded four times, Stowe Station 275 responded three times, Kennedy Station 181 responded two times and the following stations also responded to the fire on Munson: Crafton Station 128, Moon Run Station 245, Forest Grove Station 243, Sewickley-Cochran Hose Company Station 258, Fairview Station 250 and Neville Island Station 2015. We provided aid to Stowe Station 275 two times. Total person response from Station 189 to calls in February was 167 persons averaging 5.4 persons per call.

- Mayor Muhr read the monthly Activity Report from the McKees Rocks Police Department for February 2019. Chief Deliman reported a total of 620 events. There were 94 cases reported, 38 arrests, and 43 citations (31 traffic, 11 non-traffic, and 1 borough weight citation). Total mileage on patrol vehicles 2,849. Total money submitted to the Borough Manager was \$2,662.80.

Council Committee Reports:

None

Council of Government (COG): Councilwoman Delgado commented that Council has been emailed the February/March 2019 COG take-back sheet and the February 2019 COG dinner hosted by McKees Rocks was a success. Councilwoman Delgado thanked Councilman Mixer, the Borough Manager and Administrative Assistant for assisting in the set-up of the event.

Mayors Report: Mayor Muhr shared brief details with Council and audience regarding the recent pedestrian accident that occurred on Chartiers Avenue near PNC Bank, across from the F.O.R. Community Center. A man was struck by a vehicle while crossing the street. The Mayor contacted Dan Deasy's office requesting assistance to obtain large Pedestrian Crossing signs to place near cross walk for oncoming traffic notification.

Public Affairs Report: A written public affairs update for March 2019 was provided by Ms. Kim Hileman, Cohen and Grigsby, P.C for Council review. Ms. Hileman was unavailable to attend this evening's meeting, as President Krisby advised Ms. Hileman to participate in meetings in Harrisburg that pertain to any grants/funding applications on behalf of the Borough. Ms. Hileman extended her contact information to Council.

Borough Manager's Report: A written Borough Manager's report was provided to Council for review.

Engineer's Report: A written report was provided to Council during last evening's Caucus meeting and all actions items are included on the Agenda for voting.

Solicitor's Report: Ms. Megan Turnbull presented to Council a Developer's Agreement submitted by Speedway, LLC that can be considered for approval by Council. This agreement was signed by Speedway, LLC and delivered to Borough Solicitor's office this afternoon, along with applicable fees (performance bonding, inspection fees, engineering fees, etc) in preparation of applying for the building permit with the Borough. Borough Solicitor states that this agreement meets both engineering and legal standards and feels Council should consider approving this agreement. A motion was made by Councilman Mixer and seconded by Councilman Myers to approve the Developer's Agreement submitted by Speedway, LLC. Motion was adopted by acclamation.

Controller's Report:

As of February 28, 2019 General Fund, both income and expenses have annual budget of \$3,883,598.00 Expenses totaled \$511,974.41 approximately 13.18 % of annual budget. Balance remaining in the annual budget is \$3,371,623.59. Balance in the General Fund Checking Account is \$491,455.35.

As of February 28, 2019 Sewer Fund, both income and expenses have an annual budget of \$1,773,996.00. Expenses totaled \$ 119,423.30 approximately 6.73 % of the annual budget. Balance remaining in the annual budget is \$ 1,654,572.70. Balance in the Sewer Fund Savings Account is \$ 490,847.18.

A motion was made by Councilwoman Gee and seconded by Councilwoman Harvey to accept the Controller's Report. Motion was adopted by acclamation.

Bills: A motion was made by Councilman Mixer and seconded by Councilman Myers to pay the bills. Councilwoman Harvey opposed. Roll call was requested by President Krisby, resulting in 6 Yes – 1 No (Councilwoman Harvey). Motion carries.

Agenda:

1. A motion was made by Councilman Mixter and seconded by Councilman Myers to approve Brock Associates request for bi-weekly tractor trailer business deliveries on Helen Street, per Chief Deliman's approval of route. Motion was adopted by acclamation.
2. A motion was made by Councilwoman Harvey and seconded by Councilwoman Gee to authorize Borough Engineer to re-advertise for re-bidding of Chartiers Avenue Landslide Remediation. Motion was adopted by acclamation.
3. A motion was made by Councilman Myers and seconded by Councilman Mixter to authorize Borough Engineer to design replacement of Island Avenue sidewalks, for COG CD Year 45 project. Motion was adopted by acclamation.
4. A motion was made by Councilwoman Harvey and seconded by President Krisby to approve payment to State Pipe Services, Inc. for CCTV inspection on Gardner Street in the amount of \$1,260.00. Motion was adopted by acclamation.
5. A motion was made by Councilman Mixter and seconded by Councilwoman Delgado to approve payment to Garvin Boward Beitko Engineering, Inc. for geotechnical engineering services on Chartiers Avenue Landslide in the amount of \$3,465.50. Motion was adopted by acclamation.
6. A motion was made by Councilman Mixter and seconded by Councilwoman Gee to approve Borough Ordinance No. 1757 – No Left Turn on O'Donovan Street and No U-Turn in the McKees Rocks Bottoms near McKees Rocks Bridge. Motion was adopted by acclamation.
7. A motion was made by Councilwoman Delgado and seconded by Councilman Myers to approve Borough Ordinance No. 1758 Lien Letter Certificate of Compliance. Motion was adopted by acclamation.
8. A motion was made by Councilman Myers and seconded by Councilwoman Delgado to approve Borough Ordinance No. 1759 Fire Insurance Law. Motion was adopted by acclamation.
9. A motion was made by Councilwoman Gee and seconded by Councilwoman Harvey to approve Sto-Rox Little Vikings request to use Ranger's Field for Spring football April 2019 – November 2019. Motion was adopted by acclamation.
10. A motion was made by Councilwoman Gee and seconded by President Krisby to accept Waste Management's bid for Borough garbage and recycling contract. Motion was adopted by acclamation.
11. A motion was made by Councilwoman Harvey and seconded by Councilwoman Gee to authorize Borough Administrative Staff to contact RoadBotics and request attendance at upcoming Council meeting for presentation. Motion was adopted by acclamation.

New Business: Mayor Muhr confirmed with Mr. Bobby Thompson, Street Department Working Foreman, that No Left Turn and No U-turn Signs are ordered/in-stock.

Old Business: Councilman Mixter requested to discuss the Borough's current budget, referencing back to Council's discussion during the December 2018 meeting. Councilman Mixter reminded all in attendance that the financial audit from 2017 indicated that Borough revenue exceeded expenses and multiple budget line items had a large reduction of cost as a result of the Borough Manager's ability to make changes to plans such as the pension plan, Borough insurance policies, and also hire Borough employees instead of contracting services out, such as BIU (Building Inspection Underwriters). Councilman Mixter continued to comment that Administrative Office Staff were supposed to receive pay raises effective January 1, 2019 which still have not received. A motion was made by Councilman Mixter and seconded by Councilman

Myers to put Administrative Office Staff raises into effect, that were previously voted on in the budget by Council during December 2018. Councilwoman Delgado commented that Council motioned in January 2019 to accept the budget, freezing pay raises at 2018 rates subject to performance reviews and motioned to table this voting item for an executive session. Roll Call requested by President Krisby to table the motion to approve the raises, resulting in 5 No, 2 Yes (Councilwoman Harvey, Councilwoman Delgado). Borough Solicitor wanted to clarify at this point that the motion back on the table for consideration by Council is to approve non-union Borough employee raises, based on the proposed 2019 budget that was adopted by Council in January 2019 (initially motioned by Councilman Mixter). Councilwoman Delgado and Councilwoman Harvey expressed concern that the raises were 6% across the board and the individual breakdown of employee raises were not given to Council for review. Borough Manager confirmed Council received the details of each pay raise. A motion was made by Councilman Mixter and seconded by Councilwoman Gee to approve the pay raises for Borough Administrative Staff. Councilwoman Delgado opposed. Roll Call requested by President Krisby resulting in 5 Yes, 2 No (Councilwoman Harvey, Councilwoman Delgado). Motion carries.

A motion was made by Councilman Mixter and seconded by Councilwoman Gee to adjourn the business portion of the meeting. Meeting adjourned by President Krisby.