

McKees Rocks Borough
Public Meeting
April 9, 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 Shallegra Moye, Council Elizabeth Delgado, Council Leslie Gee, Council Maribeth Taylor, 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. Mark Trimbur from NIRA Consulting Engineers and Borough Solicitor Ms. Megan Turnbull, of Weiss Burkhardt Kramer, LLC were present. Vice-President Kathleen Evich participated via phone.

Agenda Comments/Changes: None

Guest Speaker: Ms. Tracey Pedersen was present to ask permission from Council to place the military banners on the Duquesne Light utility poles, with assistance of Public Works Department beginning on Chartiers Avenue and Broadway Avenue by Memorial Day. Duquesne Light has already given approval. A motion was made by Councilwoman Taylor and seconded by Councilwoman Gee to authorize the Public Works Department to install the banners. Motion was adopted by acclamation.

Ms. Patrick Auth, Director of Real Estate for Eat N Park was present to address Council regarding the future status of Eat N Park's occupancy at 301 Chartiers Avenue. Mr. Auth stated that he just learned of Trinity Development's land development plan of a 3-story office building 2 weeks ago. Mr. Auth was under the impression that the building would be built behind Eat N Park. Under Trinity's current land development plan of a 3-story office building on that parcel, Eat N Park and Trinity have not come to an agreement of Eat N Park securing space on the 1st floor. Trinity Development has proposed Eat N Park with other options to maintain occupancy in the community, which according to Mr. Auth are not viable. Mr. Auth wanted to reassure Council that Eat N Park wants to work together with Trinity Development and stay in the community.

Mr. Craig Rippole responded to Mr. Auth's concerns, on behalf of Trinity Development. Mr. Rippole commented that Eat N Park decided to sign a short term lease in 2016, due to a decline in sales as a result of lack of foot traffic in our community. Eat N Park can walk away at any time. Mr. Rippole would love to keep Eat N Park as a tenant, but Eat N Park has to commit in being a long-term tenant in the community. Mr. Rippole commented that Eat N Park was given 5 different options to stay in the community, which all have been declined at this time. Eat N Park would have to take some risk and invest in McKees Rocks, to continue in the proposed business model.

Mr. Paul T. Bradis was present to ask the Borough Solicitor what the requirements are under the Sunshine Law for advertising planning and zoning hearing meetings. Borough Solicitor commented that zoning hearings requires 2 advertisements at least 14 days in advance and planning commission meetings are at least 24 hours notice. Councilwoman Taylor asked Mr. Bradis if something happened that has him questioning these requirements. Mr. Bradis responded to Councilwoman Taylor saying that a planning

commission meeting was advertised in the local newspaper on a Tuesday, and the hearing was the very next evening (Wednesday). He also commented that the public was not allowed to give public comment.

Mr. Samantha Levitski-Wright was present to give Council updates on the Sto-Rox School District plans for 2019-2020. Sto-Rox's current budget is 27 million dollars, with a tax deficit in both Stowe Township and McKees Rocks Borough. Approximately 14 million is spent on salaries/pension/benefits, 2 million in transportation, 5 million in charter schools, leaving minimal funds for general operations. Sto-Rox relies on partnerships and other resources. Ms. Levitski-Wright commented that all three schools face a major challenge of mental health, as the district recently experienced a suicide and gun violence. Teachers are now participating in workshops to prepare for the upcoming school year, and recent funding from the state has given the district the opportunity to hire a special reading teacher and academic coach. Parent surveys are being sent out regarding potential time changes of the upcoming school year. A summer program is being held, and the Foster Building is in process of being rented to a local daycare.

Last Month's Minutes:

A motion was made by Councilwoman Taylor and seconded by Councilwoman Gee to dispense the reading of March 12, 2019 public meeting minutes. Motion was adopted by acclamation.

Committee Reports:

- Councilwoman Moye read the March 2019 activity report from the McKees Rocks Independent Volunteer Fire Department. The Fire Department received a total of 19 calls. There were 7 false alarms, 4 at Hays Manor, 1 each in Buildings 11-14, 15&16m 17&18 and 24. Response also included 3 motor vehicle accidents, 1 gas leak, 1 EMS call for a lift assist, 1 water leak, 1 person locked out of their residence and 1 technical rescue of a child being stuck in a swing. Also responded to 2 brush fires and 2 structure fires. No fire fighters were hurt during month of March.

Engine 189 responded to 12 incidents. Engine 189-2 six times, Truck 189 – one time, Rescue 189 no response, Utility 189 no response, and persons in private vehicles responded directly to scene 16 times. VFD cancelled enroute 5 times. Mutual aid provided by Presston Station 277 on all calls. Seville, Station 251 responded to McKees Rocks 1 time for one of the structure fires. We did not provide mutual aid during March. Total person response from Station 189 to calls in March was 103 persons averaging 5.4 persons per call. Progress is being made on the ladder truck (quint) being received with a FEMA grant, with hopes for delivery in Fall or early Winter. FEMA has released fund so we could pay for a new firefighting hose purchased for both pumps, and will also go on the quint.

- Councilwoman Moye read the monthly Activity Report from the McKees Rocks Police Department for March 2019. Chief Deliman reported a total of 594 events. There were 110 cases reported, 28 arrests, and 77 citations (69 traffic, 7 non-traffic, and 1 borough weight citation). Impounded vehicles 23. Total mileage on patrol vehicles 3,984. Total money submitted to the Borough Manager was \$5,763.53.

Council Committee Reports:

Councilwoman Delgado, Real Estate Committee Member commented that she would like to invite a person she met at the home show who works with a salvage company who might be able to help the borough with building demolitions as a guest speaker next meeting.

Councilwoman Delgado, Communication Committee Member presented a Resolution (created by her) motioning to have her website administrative rights restored. Councilwoman Delgado explained in length that she should have administrative rights to the website being the person who has advanced knowledge in

website design, and the office staff does not have the knowledge or training to maintain the website. Councilwoman Delgado feels that her multiple attempts to resolve this problem internally with the Council President and Borough Manager have been ignored. A motion was made by Councilwoman Taylor and seconded by Councilwoman Moye to approve the Resolution, restoring Councilwoman Delgado's administrative rights. A motion was made by Councilman Mixter to table this Resolution for further discussion. Roll call was requested to table the Resolution, resulting in 4 Yes (Mixter, Myers, Krisby, Gee), 4 No (Harvey, Taylor, Delgado, Moye). Mayor Muhr broke the tie vote, voting Yes to table the Resolution. Motion carries.

Councilwoman Taylor, Real Estate Committee Member, requested that the contract with PaloALTO Partners be signed by the Borough Manager, as Council voted to approve the contract months ago. Councilwoman Taylor also commented that Council just voted in December 2018 for Codification of Ordinances, but reviewing the bills shows we paid \$4,000.00 prior to approval. Councilwoman Taylor feels that we shouldn't be paying towards contracts before Council votes to approve.

Councilwoman Taylor, Finance Committee Member, voiced concerns to Council regarding the vote from last month's meeting approving raises for Borough staff, while she was absent. Councilwoman Taylor feels the raises were approved blindly. The following information was read to the audience: 3 employees received 6 % raises, 1 employee 9 % raise, 1 employee 2 % raise, and 1 of these employees over almost 3 years of employment increased their salary by 49%. Councilwoman Taylor commented that working with the Police and Street Department contracts, each department is asked to take a 1 year pay freeze. Councilwoman Taylor then commented that she was made aware that the Police Department asked for new radios and was denied. According to Councilwoman Taylor, the Police Department having new working radios for their safety is more important than giving the Borough staff raises. Any extra money shouldn't be given to staff for raises, it should be given to the departments for the safety of our community. A motion was made by Councilwoman Taylor to rescind the raises given to Borough staff, as she considers the raises to be ridiculous. Councilman Mixter commented that the Borough staff have turned this office around and have made positive changes. After further debate from Councilmembers, Councilwoman Delgado seconded the motion to rescind the raises given to Borough staff. Roll call was requested to rescind raises, resulting in 4 Yes (Harvey, Taylor, Delgado, Moye) to 4 No (Mixter, Myers, Krisby, Gee). Mayor Muhr broke the tie vote, voting No to rescind the raises. Motion carries.

Council of Government (COG): Councilwoman Delgado provided information regarding a potential intergovernmental agreement COG is working on regarding the uniform construction code appeal. A copy of document was provided to Borough Manager and Building Code Official.

Mayors Report: Mayor Muhr provided the following information regarding violations/citations: 8 abandon vehicles, 8 private property, 3 vehicles towed, 5 citations, multiple truck escorts. The Police Department will have a plate reader installed and money is being collected by donation. The Street Department had to put up signs/barricades on Chartiers Avenue where a contractor through COG was doing sidewalk work 2 months ago and the Borough should be reimbursed for the labor provided by our staff. The Roxian Theater contacted the Mayor regarding mail delivery issue. Mayor Muhr contacted post office to find out that the address was not on the books, and reinstated Roxian Theaters' address.

Public Affairs Report: A written public affairs update for April 2019 was provided by Ms. Kim Hileman, Cohen and Grigsby, P.C for Council review. Ms. Hileman was not present.

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: None

Controller's Report:

As of March 31, 2019 General Fund, both income and expenses have annual budget of \$3,883,598.00 Expenses totaled \$672,628.65 approximately 17.32 % of annual budget. Balance remaining in the annual budget is \$3,210,969.35. Balance in the General Fund Checking Account is \$398,529.01.

As of March 31, 2019 Sewer Fund, both income and expenses have an annual budget of \$1,773,996.00. Expenses totaled \$ 403,104.36 approximately 22.72 % of the annual budget. Balance remaining in the annual budget is \$ 1,370,891.64. Balance in the Sewer Fund Savings Account is \$ 326,024.42.

A motion was made by Councilwoman Taylor and seconded by President Krisby to accept the Controller's Report. Motion was adopted by acclamation.

Bills: Prior to voting on the bills, Councilwoman Harvey questioned line item # 276585 Overhead Door Co. of Greater Pgh. Councilwoman Taylor questioned line items 27639 Cohen Law Group and 27652 ICC General Code, Inc. Borough Manager explained those line items in detail. A motion was made by Councilwoman Harvey and seconded by Councilwoman Gee 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 Morris Knowles & Associates, Inc waiver request to allow parking lot grading to be over the allowed 5 % for 300 Chartiers Avenue plans with intent to work with NIRA for design. Motion was adopted by acclamation.
2. A motion was made by Councilwoman Gee and seconded by Councilwoman Taylor to authorize Street Department to send labor statement for Chartiers Avenue sidewalk ramps to Borough Manager for invoicing U&S Construction. Motion was adopted by acclamation.
3. A motion was made by Councilman Myers and seconded by Councilwoman Taylor to approve remaining balance of payment no. 2 and payment no. 3 to A.Merante for Sefler Street Stairs, in the amount of \$47,740.00. Motion was adopted by acclamation.
4. A motion was made by Councilwoman Gee and seconded by Councilwoman Moye to approve use of the Municipal Lot on 05/18/2019 10AM-3:30PM for "Imagination Stations Learning Adventure in McKees Rocks" hosted by Leadership Development Initiative. Motion was adopted by acclamation.
5. A motion was made by Councilman Mixer and seconded by Councilman Myers to approve use of Chartiers Avenue vacant lot (next to Hollowood Video) on 06/21/19 – 6/23/19 5PM-8PM, for 3 day revival event hosted by The Good News Place, pending McKees Rocks CDC approval. Motion was adopted by acclamation.
6. A motion was made by Councilwoman Delgado and seconded by Councilwoman Harvey to approve Police Department access to CLEAR for Law Enforcement Plus, pending receipt of correct monthly cost quote from Chief Deliman. Motion was adopted by acclamation.
7. A motion was made by Councilwoman Harvey and seconded by Councilwoman Gee to approve Sgt. Finerty's registration for Law Enforcement Seminars LLC training 05/09/19-5/10/19, in the amount of \$350.00 sponsored by Indiana Twp. P.D. Motion was adopted by acclamation.

8. A motion was made by Councilwoman Gee and seconded by Councilman Myers to approve purchase of plate reader and software for Police Department. Motion was adopted by acclamation.
9. A motion was made by Councilman Mixter and seconded by Councilman Gee to approve West View Water Authority Settlement in the amount of \$17,500.00. Motion was adopted by acclamation.
10. A motion was made by Councilman Myers and seconded by Councilman Mixter to approve Waste Management garbage collection contract. Councilwoman Taylor opposed and Councilwoman Delgado abstained. Roll call requested, resulting in 7 Yes, 2 No (Councilwoman Taylor, Councilwoman Delgado). Motion carries.
11. A motion was made by Councilman Mixter and seconded by Councilwoman Gee to approve Jordan Tax Service as garbage collection biller, pending receipt and approval of Act 20 Ordinance. Motion was adopted by acclamation.
12. A motion was made by Councilman Mixter and seconded by Councilman Myers to authorize Borough Engineer to apply for grant for dirt and gravel and low volume road for Creek Road restoration. Motion was adopted by acclamation.
13. A motion was made by Councilwoman Taylor and seconded by President Krisby to approve use of Ranger's Field 05/25/2019 for "Memorial Day Fun Day" hosted by Restored by Grace, pending receipt of Park Reservation Rental Form and applicable fees. Motion was adopted by acclamation.
14. A motion was made by Councilwoman Taylor and seconded by President Krisby to authorize Borough Engineer to advertise a bid for Adrian Street repairs, as amount is over \$20,000.00. Motion was adopted by acclamation.

New Business: Pastor Hogan, of Faithbridge Community Church sent in a letter for Council to review requesting Baltimore Alley to be blocked off for the Annual Block Party on 06/27/2019 3:30PM-9PM. A motion was made by Councilwoman Taylor and seconded by President Krisby to approve closure of Baltimore Alley on 06/27/2019 for Faithbridge's annual Block Party. Motion was adopted by acclamation.

Councilwoman Delgado asked if the microphone and audio system can be looked at, as the microphone(s) continues to not work during meetings.

Councilwoman Taylor motioned to authorize purchase of police radios for the Police Department. Chief Deliman commented that the department would need 12 radios. Councilman Myers asked if we had any quotes for review, before voting to approve this purchase. Chief Deliman confirmed having 1 quote available from Motorola. The amount of purchase was agreed by Council to not exceed \$19,000.00. Councilwoman Delgado seconded the motion to authorize purchase of radios for Police Department. Motion was adopted by acclamation.

Old Business:

Street Lights on Grove Street and Russellwood Avenue were requested by the Borough to be put up for safety reasons. Duquesne Light has refused to pay the application fees, as the new Ordinance was passed December 2017. Councilwoman Taylor motioned to approve Duquesne Light to pay the previous street/sidewalk opening fee, as the request for these two street lights were put in prior to passing new Ordinance. President Krisby seconded the motion to approve Duquesne Light paying the old street/sidewalk opening fee. Motion was adopted by acclamation.

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