

McKees Rocks Borough

Public Meeting

July 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 Elizabeth Delgado, Council Maribeth Taylor, Vice-President Evich, Council Craig Myers, Council Sarah Harvey, and Council Joe Mixter. Also present were Mayor John “Jack” Muhr, Borough Manager Ruth A. Pompey, 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. Council Gee, Council Moye, and Controller Chambers were absent.

Agenda Comments/Changes: None

Guest Speaker: Mr. Joe Bopp, was present to address Council regarding the borough website contract with OnFire Media. Mr. Bopp introduced himself as the Commander of the American Legion on Broadway Ave. as well as a Senior Cyber Security Officer, being in the IT field for almost thirty years. Mr. Bopp reviewed the website and the contract with On Fire Media, and stated the amount of money On Fire Media is charging the borough for the website design and support is absurd. Mr. Bopp advised that he researched On Fire Media as a company, and they are known to “prey on small, nonprofits” and overcharge fees. Mr. Bopp said that a local web design company can do the exact same design for \$5,000.00 or less and charge a yearly support fee, and it would still be less than On Fire Media’s contract. Councilwoman Delgado responded to Mr. Bopp’s statements, indicating that she researched On Fire Media herself and they do not prey on nonprofits. Councilwoman Delgado recommended the company to the Borough Council for consideration. Councilwoman Delgado also commented that when the Borough put out a RFP for web design services, the Borough received very little response. Councilwoman Taylor supported Councilwoman Delgado in conversation that Council reviewed the web design quotes received and voted unanimously to approve On Fire Media. Councilman Myers indicated that if he would have seen the contract at the time of vote, he would have said no because he feels the borough is getting ripped off. Councilwoman Delgado also responded to Mr. Bopp’s comment about another local company doing the Borough’s website for \$5,000.00 or less, suggesting that the Borough would not get everything requested in the RFP, which Mr. Bopp confirms he did not review. Councilman Myers mentioned that he received a website design quote from another company that could redesign the borough website at a lower cost, and will provide a copy of the quote to Council for review after the meeting. Councilwoman Taylor suggested that Council continue the conversation regarding the website and current cost(s) of our current contract that Council previously voted on with other quotes. Councilwoman Taylor also commented that Council should consider giving Councilwoman Delgado back her website rights to finish what she started. Councilman Mixter stated that he asked the other municipalities involved with COG who is in charge of their borough website(s) and the manager is in charge of the website, not an elected official.

Ms. Barb Godfrey, borough resident asked Council if the borough website should be used as a personal campaign platform for re-election. When all Council members replied no, Ms. Godfrey questioned Councilwoman Delgado why did she on May 4, 2019 use the borough’s website as part of her personal political campaign, by blogging about the current election. Councilwoman Delgado denied Ms. Godfrey’s statement, even though Ms. Godfrey among other residents commented of having copies as proof which is

unethical of a Council member. Ms. Godfrey is asking Council to think of why Councilwoman Delgado originally lost her administrative rights to website before voting tonight to re-instate.

Last Month's Minutes:

A motion was made by Councilwoman Taylor and seconded by President Krisby to accept the public meeting minutes of June 11, 2019. Motion was adopted by acclamation.

Committee Reports:

- Mayor Muhr read the McKees Rocks Independent Volunteer Fire Department activity report for the months of May and June, 2019. There were a total of 66 calls, in which 22 were false alarms. Fifteen were in the following buildings at Hays Manor; 1 at 3&4, 3 at 7&8, 2 at 11-14, 1 at 15&16, 3 at 19, 1 at 22&23 and 1 at Building 24. Response included 8 motor vehicle accidents, 5 gas leaks, 2 C O alarms and 5 water conditions. There was also 1 lock-out, 1 Haz Mat Call, 1 EMS lift assist, 1 PD assist, a missing child, and a smoke scare, 3 car fires, 1 brush fire, 1 dumpster fire, 1 transformer fire, and 12 structure fires. Most of the fires were minor, but a 3-alarm structure fire on Wayne Avenue in June occurred in a multi-unit apartment building and assisted Kennedy with a structure fire. One civilian was hurt at the fire on Wayne Avenue and 2 fire fighters were hurt in May and June.

To all alarms, response includes the following: Engine 189, 37 times, Engine 189-2, 5 times, Truck 189, 7 times, Utility 189, 4 times. Rescue 189 did not respond to any calls, and persons in private vehicles responded directly 48 times. Cancelled 18 times. Mutual aide provided on all calls by Presston Station 277. In addition, following stations provided mutual aide: Stowe Station 275, 4 times, Kennedy Station 181, 4 times, Seville Station 251, 8 times, and 1 time from Crafton Station 128, Moon Run Station 245, Fairview Station 250 and Neville Island Station 205. Those stations that provided aid 1 time were for the Wayne Avenue fire. We provided aid to Station 275 and Station 181, 1 time each. Total of 327 people responded to the calls in May and June, averaging 6 persons per call.

- Mayor Muhr read the monthly Activity Report from the McKees Rocks Police Department for June 2019. Mayor Muhr reported a total of 805 events. There were 118 cases reported, 36 arrests, and 15 citations (15 traffic, 8 non-traffic, and 4 borough weight citations). Impounded vehicles 11. Total mileage on patrol vehicles 2,695. Total money submitted to the Borough Manager was \$3,991.72.

Council Committee Reports: Councilwoman Delgado, of Real Estate Committee mentioned that the Real Estate Committee met with Mr. Tom Hardy, to review the borough's preliminary redevelopment plan. Mr. Hardy is waiting to get in contact with the borough's Building Code Official and Code Enforcement Officer to schedule a meeting. President Krisby commented he had seen the report and feels it's a pretty good start. Councilwoman Taylor asked Borough Manager if she can make sure Mr. Hardy meets with the Building Code Official and Code Enforcement Officer. Borough Manager advised Councilwoman Taylor that she has been in contact with Mr. Hardy and they all will be meeting together.

Council of Government (COG): No Report

Mayors Report: Mayor Muhr has attended court recently for garbage/debris violations as well as over grown weeds/trees and abandon vehicles. Mayor Muhr reported a property on Railroad Street owned by Alice Street Investments having recent garbage issues that neighbors are complaining about. The tenants are putting their garbage out as early as Monday for Thursday pick-up, leaving the trash to be torn open by

animals, etc. Alice Street Investments has not returned the borough's phone calls at this time. Mayor Muhr also had a scheduled court hearing with Mr. John Sundo, the contractor who worked on the Chartiers Ave. ramps recently, and Mr. Sundo no showed. Mayor Muhr wants him fined for the lack of quality work and the borough reimbursed for the Street Department's labor to secure the sidewalk/ramp area. Mayor Muhr also attended court with Mr. Frank Bryan about 3 weeks ago, found guilty for parking/storing illegal vehicles. Mr. Bryan's attorney stated he is going to appeal the decision to higher court, indicating the Mayor doesn't have the right to enforce ordinances. Solicitor Turnbull mentioned that the higher court judge (Nauhaus) is difficult when working with the borough, and has thrown out many cases in the past when cases are appealed and held downtown. Mayor Muhr commented that he does have the right to enforce ordinances, but doesn't want to cost the borough a lot of money in attorney fees so he is willing to withdraw the citation at appeals, but wants Mr. Bryan cited again for not following the borough ordinance.

Public Affairs Report: A written public affairs update for July 2019 was provided by Ms. Kim Hileman, Cohen and Grigsby, P.C for Council review. Ms. Hileman was not present, but did contact Councilwoman Taylor via phone as a courtesy upon President Krisby's request.

Borough Manager's Report: A written Borough Manager's report was provided to Council including details of the following: 2019 TAN Loan paid in full 6/27/19, borough insurance quotes are currently being reviewed, Administrative Assistant is scheduled to take the notary exam, round 2 of water shut-offs is scheduled for July 23rd, and a zoning board hearing is scheduled for July 18th at 7:30 PM.

Engineer's Report: A written Borough Engineer's Capsule 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 stated for meeting minutes recording purposes that she met with Chief Deliman to move forward with the Civil Service Testing and applications for full-time officers are being accepted until July 17, 2019. Also commented that title searches have been done on the 2 parcels for the Indian Mound, and Ms. Turnbull will move forward when Council has reviewed the research and gives Ms. Turnbull the approval to do so.

Councilwoman Taylor mentioned that Councilman Mixter brought up at last meeting the possible transfer of 751 Boquet Street to the volunteer fire department. Solicitor Turnbull advised that if the borough were to transfer the property to the volunteer fire department and the fire department stopped using the property for fire departments purposes, the property would have to come back to the borough which isn't advisable. There are other options the borough can do to sell the property, which Solicitor Turnbull will review and provide list of options to Council for review. Landbank was mentioned as an option by Councilwoman Taylor, as Mr. Hardy could possibly be assistance. Councilwoman Taylor suggested making a motion tonight to be able to get rid of property by month end. Solicitor Turnbull suggested authorizing a draft of resolution and disposition of property or to continue discussion at the special meeting that will be scheduled later this month. A motion was made by Councilwoman Taylor and seconded by President Krisby to continue discussion at the upcoming special meeting. Motion was adopted by acclamation.

Councilwoman Taylor also asked if the borough can do something to push the owners of 708 Chartiers Avenue to clean up the sidewalk area of the demolition from 2018, stating that she checked with the state and was advised the borough can pass laws that are stronger than the UCC code, which is currently giving the owners an extension of clean-up. A motion was made by Councilwoman Taylor and seconded by

President Krisby to authorize Borough Solicitor to research and draft an ordinance that is stronger than the UCC code. Motion is adopted by acclamation.

Solicitor Turnbull also commented that she is in process of drafting the new garbage ordinance, in which she is incorporating ACT 20 fees.

Controller's Report:

As of June 30, 2019 General Fund, both income and expenses have annual budget of \$3,883,598.00 Expenses totaled \$1,691,365.78 approximately 43.55 % of annual budget. Balance remaining in the annual budget is \$2,192,232.22. Balance in the General Fund Checking Account is \$404,520.04.

As of June 30, 2019 Sewer Fund, both income and expenses have an annual budget of \$1,773,996.00. Expenses totaled \$755,466.83 approximately 42.59 % of the annual budget. Balance remaining in the annual budget is \$ 1,018,529.17. Balance in the Sewer Fund Savings Account is \$ 425,992.08.

A motion was made by Councilman Myers and seconded by Vice-President Evich to accept the Controller's Report. Motion was adopted by acclamation.

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

Agenda:

1. A motion was made by Councilwoman Harvey and seconded by Councilman Mixter to approve payment no. 1 to JG Contracting Co, Inc. in the amount of \$25,200.00 for Chartiers Ave. Ext. stabilization. Motion was adopted by acclamation.
2. A motion was made by Councilman Myers and seconded by Vice-President Evich to advertise Borough Ordinance No. 1761 Hedges, Trees, and Shrubs for proposed August adoption. Motion was adopted by acclamation.
3. A motion was made by Councilman Myers and seconded by Councilwoman Taylor to purchase a F-350 pick-up truck for the Street Department. Motion was adopted by acclamation.
4. A motion was made by Councilwoman Taylor and seconded by Vice-President Evich to accept certified letter dated 06/26/19 to Stephen Gilbert indicating no response by 7/03/19 is indication to borough of rejection of employment reinstatement. Motion was adopted by acclamation.
5. A motion was made by Councilwoman Harvey and seconded by Councilwoman Taylor to approve tentatively scheduling Mr. Joe Cuervo, Washington National Insurance with the Council Finance Committee. Motion was adopted by acclamation.
6. A motion was made by Councilman Mixter and seconded by Vice-President Evich to advertise Borough Ordinance 1762 Portnoff Collection Fees for proposed August adoption. Councilwoman Taylor opposed. Motion carries.
7. A motion was made by President Krisby and seconded by Vice-President Evich to approve EPA dust wipe sampling technician training for the Building Code Official and Code Enforcement Officer when available. Councilman Mixter opposed. Motion carries.
8. A motion was made by Councilwoman Harvey and seconded by Councilwoman Delgado to reinstate borough administrative rights to Councilwoman Delgado. Councilwoman Delgado commented that she spoke with COG and if Council wants access, they are to have it. President Krisby commented that they met previously and told Councilwoman Delgado that it's the office staff responsibility to monitor and update the website, not hers. He said to give the office staff another month or two to get the website updated with the remaining information, and if still a problem he will reconsider reinstating her rights. Councilwoman Delgado agreed under the condition that office

staff agree to meet with Councilman Delgado for additional training. President Krisby said OK. Original motion made by Councilwoman Harvey withdrawn. No vote.

9. A motion was made by Councilwoman Taylor and seconded by Councilwoman Harvey to table the motion to accept the Work Based Learning Opportunity Program through JOB CORP. Councilwoman Taylor stated that Council did not receive the requested documentation to review prior to this evening's vote. President Krisby advised that he met with JOB CORP earlier today and everything is in process for student(s) to start working. Borough Manager had a copy of an unsigned memorandum of understanding (agreement) that she could share with Council. Councilwoman Harvey questioned the Borough Manager regarding who would be paying for the JOB CORP student, how many hours. Borough Manager responded saying the borough is responsible for paying at the rate of \$10.00/hour and hours are to be determined at this time. Councilwoman Taylor mentioned this could be considered at the upcoming special meeting once documentation is reviewed. The motion to table until the special meeting was adopted by acclamation.
10. A motion was made by Councilwoman Taylor and seconded by Councilwoman Harvey to assign an access code to the McKees Rocks Police Department to access the drug tip line on 2nd floor of borough building. Motion was adopted by acclamation.
11. A motion was made by Councilwoman Taylor and seconded by President Krisby to place a sign at 3rd Street Park indicating gates are open on 3rd Street (not Broadway Ave.). Motion was adopted by acclamation.

New Business: Councilwoman Mixer wanted to motion to get rid of the borough's current website, indicating that the current contract is a waste of money. Councilman Mixer suggests the borough can get a website done cheaper with a different company. President Krisby commented that this can be on discussion for August agenda.

Old Business:

Councilwoman Taylor commented that she reviewed the current garbage ordinance that was discussed during June 2019 meeting. Councilwoman Taylor advised that the ordinance does state that the resident's garbage cans must have lids, but it also states disposable tied plastic bags or sacs are suitable for pick-up, as long as designated for waste disposal.

Councilwoman Harvey asked if additional "no truck traffic" signs can be place at Catherine Street, to try and prevent resident vehicles being hit. Councilwoman Harvey attended a PENNDOT meeting regarding the Streetscape Project for Chartiers Avenue, saying it was informative and reminded all in attendance the borough made a commitment to this project.

Councilwoman Taylor commented about the Chartiers Ave Ext. landslide detour posted asking if a sign can be placed at the bottom of Clever/Singer, as she has seen many cars going up the hill.

Mr. and Mrs. Dwayne Grimes were present to ask Council about the food trucks and permit privileges for the Roxian Theater. They feel that the food trucks are taking away from local food businesses, especially if multiple food trucks are permitted. President Krisby responded saying only up to three food trucks are permitted at a time, and a meeting is scheduled with the Roxian Theater next week to discuss in further detail.

A motion was made by Councilwoman Taylor and seconded by President Krisby to approve Borough Ordinance No. 1760, adopting Act 20 fee schedule for Jordan Tax Service. Motion was adopted by acclamation.

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