

McKees Rocks Borough
Public Meeting
August 13, 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 Maribeth Taylor, Council Leslie Gee, 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. Controller Julia Chambers was present as well.

Agenda Comments/Changes: None

Guest Speaker: Mr. Lorenzo Rulli, a former resident of McKees Rocks was present to discuss with Council the Roxian Theater and parking enforcement. Mr. Rulli states that since the theater has opened, the guests attending the shows are parking everywhere taking up a lot of the resident parking (Hays Manor, Bell Avenue, Boquet Street). Mr. Rulli feels there is no police regulations on the parking, and people are even parking in the crosswalk zones (which is illegal). Mr. Rulli claims that the police aren't issuing tickets as they should be to people parking illegally, because our police said that parking tickets are low priority during a response to a police call. He feels the police aren't doing their job.

Councilman Mixter commented that there is an agreement between the Roxian Theater and Mr. Craig Rippole that people are permitted to park in the Chartiers Avenue Plaza for shows, after store hours. Mr. Rulli claims that people are not following that rule. President Krisby commented that the police can't tell people where to park when it's street parking. Councilwoman Taylor suggested that Chief Deliman meet with the police staff about enforcing the illegal crosswalk parking.

Last Month's Minutes:

A motion was made by Councilwoman Gee and seconded by Councilwoman Harvey to accept the public meeting minutes of July 09, 2019. Motion was adopted by acclamation.

A motion was made by President Krisby and seconded by Councilwoman Gee to accept the special public meeting minutes of July 23, 2019. Motion was adopted by acclamation.

Committee Reports:

- McKees Rocks Independent Volunteer Fire Department provided a written report for the month of July 2019. There were a total of 34 calls, in which 9 were false alarms. 6 false alarms were in the following buildings at Hays Manor; 2 at 7&8, 1 at 19, 2 at 20&21, and 1 at 22&23. Response included 2 motor vehicle accidents, 4 gas leaks, 2 smoke scares, 2 EMS assist, 1 C O alarm, 1 water rescue, 1 PD assist, 1 water main break, 2 wires burning and 2 technical rescues. One rescue was a woman stuck in an elevator at a one story building. The other rescue was for a confined space of a cell phone and keys trapped below grade in a hollow beam at Ranger's Field. There was also 1 brush fire, 1 dumpster fire, and 5 structure fires. 3 of those structure fires were in Kennedy and 1 in Stowe Township.

To all alarms, response includes the following: Engine 189, 15 times, Engine 189-2, 5 times, Utility 189, 3 times. Rescue 189 and Truck 189 did not respond to any calls, and persons in private vehicles responded directly 29 times. Cancelled 18 times. Mutual aid provided on all calls by Presston Station 277. We provided aid to Stowe Station 275, 1 time and Kennedy Station 181, 3 times. Total of 160 people responded to the calls in July, averaging 4.7 persons per call.

- McKees Rocks Police Department provided a written report for July 2019. A total of 800 events were reported. There were 140 cases reported, 31 arrests, and 29 citations (21 traffic, 6 non-traffic, and 2 borough weight citations). Impounded vehicles 20. Total mileage on patrol vehicles 3,497. Total money submitted to the Borough Manager was \$3,652.74.

Council Committee Reports: None

Council of Government (COG): Councilwoman Delgado briefly commented that if anyone is interested in information regarding the community garden discussed at last evening's caucus meeting to see any council member for information.

Mayors Report: Mayor Muhr reported that he has been enforcing parking ordinances (towing 5 vehicles), as well as high grass and weeds, and garbage violations since last meeting. Mayor Muhr commented that he has been dealing with a resident who has been parking motorcycle on private property daily because resident does not want to park on street, in fear of someone knocking the bike over. This resident's daily parking ticket fee is \$25.00 and the fine can be up to \$600.00 daily, if he continues to disobey the ordinance. Mayor Muhr mentioned that there is conversation going on that involves our police department possibly merging with another local municipality. Mayor Muhr has been contact with the state and a letter of intent has been submitted.

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

Borough Manager's Report: Ruth A. Pompey reported that the Borough entered into an insurance agreement with Traveler's Insurance for general liability and worker's compensation effective August 1, 2019 through July 31, 2020, and Jordan Tax Service was sent a file for Waste Management billing to issue the first quarterly bill by the first week of September. Administrative Assistant LeeAnn Wozniak received the PA Notary Public License and will be sworn in later this month.

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 commented that Borough Resolution No. 6102 is ready for Council consideration, which aligns the fees of garbage collection for the borough. Ms. Turnbull also provided the steps to take in order to advertise Borough Ordinance No. 1763 Zoning Surface Adjunct Parking for possible adoption in October/November. This drafted Ordinance should first be reviewed by the Planning Commission at a scheduled meeting, then forward to Ms. Kay Pierce at the county for review and comment prior to being advertised for Council consideration. This will give the public and Council additional time for review and ask any questions prior to adoption. Councilwoman Taylor suggested that a mailing be sent to the surrounding residents regarding this proposed ordinance, in case they don't have access to the

newspaper or internet. Lastly, Ms. Turnbull commented that she sent information to Council for review regarding "what is nepotism," from a legal standpoint, which was brought up during last month's meeting by certain councilmembers. Ms. Turnbull advised that the Borough could adopt an anti-nepotism policy, though the employee handbook which is currently in draft mode does have anti-nepotism language already added. Ms. Turnbull respectfully asked Council to consider an executive session following the public meeting to discuss legal and/or personnel matters.

Controller's Report:

As of July 31, 2019 General Fund, both income and expenses have annual budget of \$3,883,598.00 Expenses totaled \$ 2,012,930.55 or approximately 51.83 % of annual budget. Balance remaining in the annual budget is \$ 1,870,667.45. Balance in the General Fund Checking Account is \$ 190,625.86. As of July 31, 2019 Sewer Fund, both income and expenses have an annual budget of \$1,773,996.00. Expenses totaled \$ 785,016.86 or approximately 44.25 % of the annual budget. Balance remaining in the annual budget is \$ 988,979.14. Balance in the Sewer Fund Savings Account is \$ 660,659.68. A motion was made by Councilwoman Taylor and seconded by Councilman Myers to accept the Controller's Report. Motion was adopted by acclamation.

Bills: A motion was made by Councilman Myers and seconded by Vice-President Evich to accept the bills. Motion was adopted by acclamation.

Agenda:

1. A motion was made by Councilmen Myers and seconded by Councilwoman Harvey to permit Community Liver Alliance use of McDonald's Way on 8/24/19 for an outdoor fundraiser concert 2:00 pm-5:30 pm. Councilwoman Taylor abstained. Motion was adopted by acclamation.
2. A motion was made by Councilwoman Gee and seconded by President Krisby to advertise Borough Ordinance 1763 Zoning Surface Adjunct parking once referred to the Planning Commission and County for review/comment. Motion was adopted by acclamation.
3. A motion was made by Councilman Meyers and seconded by Vice-President Evich to apply for CDBG Year 46 funding, pending Borough Engineer's suggestion of selected projects. Motion was adopted by acclamation.
4. A motion was made by Councilwoman Gee and seconded by Vice-President Evich to approve road closure request of Locust Street (from McKee to Linden) on 8/16/19 for the Hays Manor back to school community event, hosted by the Hays Manor Roundtable Group. Motion was adopted by acclamation.
5. A motion was made by Councilman Mixer and seconded by Councilwoman Taylor to approve Borough Resolution No. 6101 Intermodal Way Extension state grant application. Motion was adopted by acclamation.
6. A motion was made by Councilwoman Taylor and seconded by Councilwoman Gee to set 2019 Halloween date/time for October 31st from 6:00 pm to 8:00 pm with notification to Stowe Twp. Motion was adopted by acclamation.
7. A motion was made by Councilwoman Harvey and seconded by Vice-President Evich to approve Borough Engineer's recommendation to award T.A. Robinson Asphalt Paving, Inc. as low bidder for Adrian Street in the amount of \$55,169.00. Motion was adopted by acclamation.
8. A motion was made by Councilwoman Moye and seconded by Councilwoman Delgado to approve Borough Engineer's recommendation of invoice approval for Geotechnical Engineer in the amount of \$1,715.80 and JG Contracting Co, Inc. in the amount of \$198,990.00 for Chartiers Avenue Ext. landslide. Motion was adopted by acclamation.

9. A motion was made by Councilwoman Taylor and seconded by Vice-President Evich to approve Commonwealth Financing Authority Grant direct payment to John T. Subrick, Inc. for Gardner Street Sewer Replacement in the amount of \$18,943.92 pending submission of the executed grant form to Commonwealth Financing Authority. Motion was adopted by acclamation.
10. A motion was made by Councilman Mixter and seconded by Vice-President Evich to authorize Borough Manager to hire temporary Street Department workers as needed. Councilwoman Taylor motioned to table this for further discussion, as she stated that the borough never hired temporary people in past just because employees are on vacation in a certain department. Councilwoman Harvey second the motion. Roll call requested, resulting in 7 No, 2 Yes (Harvey, Taylor) to table, resulting in consideration of the original motion. Councilwoman Delgado motioned to amend the original motion by putting parameters on the hiring, such as hiring up to so many hours/week at such rate because she is in fear of temporary lasting forever. Councilwoman Taylor commented again that Ms. Levitski, from the Sto-Rox HighSchool offered to explore the option of high school students working with the Borough employees in lieu of credits for graduation, which would be no expense to the Borough. President Krisby commented that he needs workers immediately, as the Street Department is down staff and work needs done. President Krisby amended the motion to authorize Borough Manager to hire temporary Street Department workers as needed for up to 30 days of employment, second by Vice-President Evich. Councilwoman Taylor opposed, stating that it's nepotism if we are hiring family members of employees or elected officials.
11. A motion was made by Councilwoman Delgado and seconded by Councilwoman Taylor to authorize Borough Solicitor to draft an anti-nepotism policy. Vice-President Evich opposed. Roll call requested, resulting in 5 No (Mixter, Myers, Evich, Krisby, Gee), 4 Yes (Harvey, Taylor, Delgado, Moye). Motion failed.
12. A motion was made by Councilman Myers and seconded by Vice-President Evich to partnership with Job Corps. Work Based Learning Program for temporary workers. Councilwoman Taylor opposed, commenting that once again no specifics have been discussed regarding pay, etc. as well as Councilwoman Delgado opposed. Roll call requested, resulting in 6 Yes (Mixter, Myers, Evich, Krisby, Gee, Moye), 3 No (Harvey, Taylor, Delgado). Motion carries.
13. A motion was made by Councilwoman Taylor and seconded by President Krisby to hire 2 eligible fulltime police officers after obtaining Civil Service testing scores. Motion was adopted by acclamation.
14. A motion was made by President Krisby and seconded by Vice-President Evich to approve the sanitary sewer easement and developer's agreement between the Borough and McKees Rocks Commercial Properties, LLC for property located at 301 Chartiers Avenue, subject to Borough Solicitor and Engineer final review. Motion was adopted by acclamation.

New Business:

A motion was made by Councilwoman Taylor to partnership with the Sto-Rox School District to develop a plan to bring high school students to borough during working hours in lieu of attending class for credit within the next 60 days. President Krisby seconded the motion. Motion adopted by acclamation. Councilman Mixter commented that the Boys and Girls Club always hired students for work, but not during school hours. Students need to be in class, in Councilman Mixter's and Councilman Myers' opinion.

Councilwoman Taylor also commented that she has been working independently on how to get properties in our Borough up to the appropriate assessment values for tax base purposes, as houses are selling for a lot more money than assessed. Mr. Craig Rippole mentioned that when people apply for building permits, which should trigger a reassessment of a property in the Borough.

Old Business:

A motion was made by Councilman Mixter and seconded by Vice-President Evich to approve Borough Ordinance No. 1761 Hedges, Trees, and Shrubs. Motion was adopted by acclamation.

A motion was made by Councilwoman Gee and seconded by Vice-President Evich to approve Borough Ordinance No. 1762 Collection Procedures by Portnoff Law Associates, LTD for delinquent unpaid real estate taxes. Councilwoman Taylor opposed. Councilwoman Harvey motioned to table the Ordinance adoption until a further time in order to review the old fees and the new fees. Roll call requested, resulting in 9 Yes, 0 No to table the original motion to approve (adopt) Ordinance No. 1762 until further review of fees. Borough Solicitor commented that the Ordinance will need re-advertised at a later date for re-consideration.

A motion was made by Councilwoman Taylor and seconded by President Krisby to adjourn the business portion of the meeting and break for executive session requested by Borough Solicitor to discuss legal and/or personnel matters.