

McKees Rocks Borough
Virtual Public Meeting
October 13, 2020
7:00 PM

Pledge of Allegiance

Roll Call: Council President Paul Krisby requested roll call. Councilmembers Present: President Paul Krisby, Councilman Joe Mixter, Councilwoman Sarah Harvey, Councilman Craig Myers, Councilwoman Leslie Walker, Councilwoman Elizabeth Delgado, Councilman Charles Maritz, and Councilman Archie Brinza.

Councilmembers Absent: Vice-President Kathy Evich

Also present for this meeting were Mayor John R. Muhr, Borough Manager Ruth A. Pompey, Assistant Borough Secretary LeeAnn Wozniak, Borough Solicitor Megan Turnbull, of Weiss Burkhardt Kramer, LLC, and Borough Engineer Mr. Douglas Evans, of NIRA Consulting Engineers, Inc.

Agenda Comments/Changes: Ms. Maribeth Taylor, resident of 1215 Holmes Street, was present to address Council regarding Council's consideration for the approval of the Giant Eagle, Inc Get-Go site plans as well as other concerns not related to the agenda. Ms. Taylor first commented that nothing has still been done with the property clean-up of 708 Chartiers Avenue. President Krisby responded that there was a sewer issue near the property that was holding up the process, which is being repaired today. Ms. Taylor also mentioned a concern of overgrown trees at the BP Station on Island Avenue that needs addressed. Ms. Taylor moved on to stress her safety concern that if Council is to vote and approve Get-Go's plans this evening, to only approve with a restriction on the traffic pattern that Vine Street is a IN TRAFFIC ONLY – NO EXIT for the safety of the residents and children of the area. Ms. Taylor also is suggesting/requesting that the reports provided to Council such as Borough Engineer Report/Cohen & Grigsby/Code Enforcement, etc. that used to be read out loud during the public meeting but now are just provided for Council review be put on the Borough website for public knowledge.

Guest Speaker: Mr. Richard Ashby, Jr – Sto-Rox Public Library Director was present to update Council regarding the library's public hours and services offered during COVID-19. He also is requesting Council permission to close the short stretch of Bell Avenue between the Library and Art Center for a community Fall Festival/Book Sale/Food Cook-Off between the hours of 10:00 AM – 3:00 PM on date reported during the meeting of November 4th. Mr. Ashby stated safe distancing will be practiced at all times and tables would be set up only on sidewalks, nothing would be set up in the street. Mayor Muhr advised that an event similar was held a week prior in which the sidewalks had vendors set up and no permit was applied for which is required by the Borough. Mr. Ashby replied he was unaware a permit was needed. Councilman Maritz commented that stretch of Bell Avenue is a major access route of the McKees Rocks Fire Department in case of an emergency and can not agree to approving closing the road. Councilwoman Harvey responded that events were held in the past with the road closed and there were no issues with the Fire Department taking a different route if needed. President Krisby suggested a motion to approve the road closure as long as Mr. Ashby agrees to not have any table set up in the road in case of an emergency that the Fire Department would have to get through the area and applies for the permit. Mr. Ashby agreed. A motion was made by Councilwoman Harvey and seconded by Councilwoman Walker

to approve the road closure request for the Sto-Rox Public Library Community Fall Festival. Councilman Maritz opposed. Motion carries.

Reading of the Minutes:

A motion was made by Councilwoman Walker and seconded by Councilman Myers to approve the public meeting minutes from September 15, 2020. Motion was adopted by acclamation.

Committee Reports:

- McKees Rocks Police Department September 2020 Activity Report (on file at the Borough Manager Office)
- McKees Rocks Independent Volunteer Fire Department September 2020 Activity Report (on file at the Borough Manager Office)
- Council Committees None
- Council of Government (COG) – Councilwoman Delgado reported that she forwarded the monthly COG October takeback sheet report via email to Council. Also, Mr. Frank Zeiger – long time COG representative and Stowe Township Commissioner recently passed away.

Dentons Cohen & Grigsby, P.C.: A written summary was provided by Ms. Kim Hileman for Council to review for recent work between the Dentons Cohen & Grigsby Public Affairs Group (Dentons C&G) and McKees Rocks Borough for October 2020.

Mayors Report: Mayor Muhr reported businesses along Thompson Avenue have been complaining about the asphalt. Mayor Muhr suggested trying to get the businesses along Thompson Avenue to agree to pitch in and agree to pay for paving the road and has a name of a paving contractor. Mayor Muhr mentioned the Allegheny County Housing Authority building and the new PizzaCake restaurant will be opening soon in the Borough within the next few weeks. The Borough recently met with ALCOSAN regarding the Crivelli property and unhappy with the potential plans of the land. Mayor Muhr also reported he has been going to court for garbage related citations, and owners are only receiving minimal citations.

Communications:

- Borough Manager – Borough Manager Pompey provided a 2019 vs 2020 budget comparison report to Council for review referencing line items such as real estate taxes, court revenue, licensing/permit revenue. Borough Manager Pompey indicated that even though the revenue might be down due to COVID, we are still doing really well with the YTD collection /2020 forecasting. Borough Manager Pompey also mentioned she will be sending an email to the Finance Committee shortly regarding 2021 preliminary budget planning.
- Borough Engineer – Mr. Douglas Evans read the monthly Capsule Engineer's Report to Council. Borough Engineer recommends Council to award Baiano Construction, Inc as the low bidder for the Island Avenue Sidewalk Replacement – Phase 2 Project in the amount of \$23,000.00. Borough Engineer also recommends Council to reject bids for the 2020 sewer repairs (Pine Hollow Rd., Clever, Creek Rd.).
- Borough Solicitor –Ms. Megan Turnbull stated the following for meeting record purposes: The application process of the (5) condemnation properties through the COG has been completed, the Indian Mound covenant has been recorded, the property donation of the Mr. Bobro' parcel is completed, the

Amusement Tax Ordinance Amendment will be advertised for Council adoption in November, and the annual reviews for the Borough Manager and Chief of Police have been emailed to Council for completion and requested to be returned within a week time frame. Solicitor Turnbull directed Councilman Brinza to address a new communication on behalf of two resident(s) request. Councilman Brinza is presenting to Council the motion the use of the municipal parking lot for a “Trunk or Treat” event hosted by two very involved community residents/mothers on Saturday October 17, 2020 where the residents can park and decorate their vehicles and pass out candy to trick or treaters during the afternoon for a Halloween community event. Event start time would be 1:00 pm. Councilman Maritz questioned if using the lot would interfere with the businesses for parking. Councilman Brinza replied saying he would check with the businesses individually to make sure there is no conflict prior to the event date. Ms. Maribeth Taylor mentioned prior events such as this in past were flagged by the prior Chief of Police Cifrulak to have any volunteers involved have Act 33/34 clearances, to check with the Borough Solicitor. Borough Solicitor commented that clearances would be more appropriate if this event would be hosted more by an organization vs. a group of parents coming together. A motion was made by Councilwoman Walker and seconded by Councilman Maritz to approve the use of the municipal lot on Saturday, October 17, 2020 for Trunk or Treat event. Motion was adopted by acclamation.

- Building Code Official Monthly Activity Report - A written September 2020 activity report was provided to Council for review by Mr. John Stahl, and on file at the Borough Manager’s office.
- Code Enforcement Officer Monthly Activity Report - A written September 2020 activity report was provided to Council for review by Mr. Thomas McAllister, and on file at the Borough Manager’s office.

Controllers Report: As of September 30, 2020, General Fund, both income and expenses have an annual budget of \$ 4,648,048.00. Expenses totaled \$ 3,168,624.97 or approximately 68.17 % of annual budget. Balance remaining of the annual budget is \$ 1, 479,423.03.00
Balance remaining in the General Fund Checking Account is \$ 392,867,78.00 as of September 30, 2020.

As of September 30, 2020, Sewer Fund, both income and expenses have an annual budget of \$ 1,958,446.00. Expenses totaled \$ 1,1752,750.91 or approximately 59.88 % of the annual budget. Balance remaining of the annual budget is \$ 785, 695.09.00
Balance remaining in the Sewer Fund Savings Account is \$ 616,697.84 as of September 30, 2020.

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

Bills:

A motion was made by Councilman Maritz and seconded by Councilwoman Walker to accept the bills. Motion was adopted by acclamation.

Agenda:

1. A motion was made by Councilwoman Delgado and seconded by Councilman Brinza to approve Baiano Construction, Inc as the responsible low bidder in the amount of \$ 23,000.00 for the Island Avenue Sidewalk Replacement – Phase 2 project. Motion was adopted by acclamation.

2. A motion was made by Councilwoman Walker and seconded by Councilman Brinza to accept the Borough Engineer's recommendation to reject bids for the 2020 Sewer Repairs (Pine Hollow Road, Clever Road, Creed Road). Motion was adopted by acclamation.
3. Giant Eagle, Inc Get-Go Land Development Site Plan Consideration for Approval: A motion was made by President Krisby and seconded by Councilwoman Walker to approve the Giant Eagle, Inc Get-Go Plans pending positive county review and compliance of Engineer's agreement and execution of Development Agreement. Councilwoman Harvey and Councilwoman Delgado have concerns with the approval, because of the traffic concern of Vine Street - Vine Street to be a "No Traffic Exit, only entrance." Councilwoman Delgado opposed. Roll Call requested, resulting in 5 Yes (Brinza, Walker, Krisby, Myers, Mixter), 2 No (Delgado, Harvey), 1 Abstained (Maritz). Motion carries.
4. McKees Rocks Plaza Plan No. 3 Subdivision Consideration for Approval: A motion was made by Councilman Myers and seconded by Councilman Maritz to approve the McKees Rocks Plans No. 3 Subdivision pending positive county review and compliance of Engineer's agreement and execution of Development agreement. Motion was adopted by acclamation.
5. A motion was made by Councilman Mixter and seconded by Councilwoman Walker to accept the resignation of Controller Julia Chambers. Motion was adopted by acclamation.
6. A motion was made by President Krisby to recommend Mr. Bill Beck as the new Controller to fill the vacancy. The motion was seconded by Councilman Myers. Councilwoman Harvey questioned if this motion could be added as new business since not originally listed on the agenda. Borough Solicitor responded indicating that under the Sun Shine Law, when new business is brought up during a virtual session the item is permitted as long as the public is permitted to give public comment during discussion. At this time, no comments were given. President Krisby requested roll call, resulting in 7 Yes (Maritz, Brinza, Walker, Delgado, Krisby, Myers, Mixter), 1 No (Harvey). Motion carries.
7. Borough Solicitor Turnbull presented the MTF Grant Reimbursement Agreement for Highway & Bridge Projects in partnership with the McKees Rocks CDC. The document was provided to Council electronically prior to meeting for review. A motion was made by Councilman Maritz and seconded by Councilman Brinza to approve the MTF Grant Reimbursement Agreement for Highway & Bridge Projects. Motion was adopted by acclamation.
8. Councilman Mixter presented the Handicap Parking Application for 806 Rose Street, indicating the application has been completed and resident is in need of a space. A motion was made by Councilwoman Walker and seconded by Councilman Brinza to approve the Handicap Parking Application for 806 Rose Street. Motion was adopted by acclamation.
9. Borough Manager Pompey presented the Multimodal Transportation Fund Grant Resolution in the amount of \$714,141.00 for Council consideration to move forward in the application for Intermodal Way Ext. A motion was made by Councilman Brinza and seconded by Councilman Mixter to approve the Resolution. Motion was adopted by acclamation.
10. Borough Manager Pompey presented the COG Island Ave Sidewalk Replacement Phase III grant approval of \$21,500.00 with a borough share of \$1,500 plus cost over run and is requesting Council approval for payment. A motion was made by Councilman Maritz and seconded by Councilman Brinza to approve payment of \$1,500 plus cost over run to COG. Motion was adopted by acclamation.

11. Borough Manager Pompey presented to Council the consideration to purchase a new copier for the police department in lieu of leasing from a different company, as it's more cost effective for the police department/Borough. After Borough Manager's cost breakdown, a motion was made by Councilman Maritz and seconded by Councilman Brinza to approve purchase of the new copier machine for the police department. Motion was adopted by acclamation.
12. Councilwoman Walker presented Borough Resolution No. 876 to Council, discussing that "it was brought to attention all borough employees get 2 weeks of vacation and 2 weeks of sick time and want to know why our employees aren't receiving it". Councilwoman Delgado wanted to confirm the Resolution was discussing non-union employees. Councilwoman Harvey confirmed she knew nothing about this Resolution and wanted more time to look over the Resolution and discuss in order to move forward. Councilwoman Walker confirmed this Resolution has been in effect since 1957 and can't be ignored. Councilman Maritz commented it shouldn't be ignored, but it can be changed and motioned to table it until it can be reviewed by all of Council. President Krisby seconded the motion to table the Resolution for discussion until the next meeting. Motion tabled.
13. Councilwoman Walker also presented the Borough Council Handbook and is requesting all of Council receive a copy of the handbook to discuss during next month's Council meeting.
14. Councilwoman Delgado addressed a concern to Council she is hearing that McKees Rocks doesn't provide police department reports anymore to Gazette 2.0 and wants to know who made the decision since there is no record of a Council vote making that decision. Councilwoman Delgado wants to know now who made that decision and let the Gazette 2.0 report that. President Krisby responded saying he will take the blame and decided to not release the police department reports. Borough Solicitor Turnbull also commented that the Police Department has been receiving multiple PA Right to Know Law Requests from the Gazette 2.0 that the Chief of Police and Borough Solicitor Turnbull have been handling appropriately.
15. Councilwoman Delgado presented to Council the idea of a capital improvements fund be added in the budget for "big ticket" purposes such as replacing a roof or a staircase, so the Borough isn't caught off guard.
16. Councilwoman Delgado presented to Council she understands sidewalks (maintenance/repair and replacement) are the responsibility of homeowners in the borough and wants to point out that our sidewalks are very non-handicap ramp accessible and very unlevel. Councilwoman Delgado would like to motion moving forward that homeowners be required when replacing sidewalks to make them ADA compliant, level to the adjoining sidewalk. President Krisby seconded the motion. Motion was adopted by acclamation.
17. Councilwoman Walker presented to Council adding more working hours to Ms. Verdeen Gary's work schedule, as previously discussed but never put into effect. A motion was made by Councilwoman Walker and seconded by Councilman Mixer to approve an additional 4 working hours per week for Ms. Gary. Motion was adopted by acclamation.

Meeting adjourned, by President Krisby.