# Connellsville City Council MINUTES March 16, 2021

This meeting of the Connellsville City Council was held this evening at 6:00 PM. Attending this meeting was Mayor Lincoln, Council members Keedy, Karpiak, Tzan and Topper. Also attending was City Clerk Ohler and Solicitor Witt.

## PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE:

# **REMARKS FROM VISITORS/PUBLIC COMMENTS:**

Jason Bandemer, Discussed PE In the Park

Mr. Bandemer stated this year he will be hosting the 3<sup>rd</sup> year of PE In the Park. He stated he would like to get some information out and PE In the Park has a Facebook Page and email: <a href="https://healthypekids@gmail.com">healthypekids@gmail.com</a>. He added this is for kindergarten kids through the 8<sup>th</sup> grade at East Park from 9 AM until 12 noon, Monday through Thursday. He added the dates he would like City Council to approve are: June 14th through the 17<sup>th</sup>, June 21<sup>st</sup> through the 24<sup>th</sup>, June 28<sup>th</sup> through July 1s<sup>t</sup>, July 12<sup>th</sup> through the 15<sup>th</sup>, July 19<sup>th</sup> through July 22<sup>nd</sup>. Bandemer stated it will run 5 weeks as it has been done in the past. He added this has brought kids in to the City from other towns. He added they promote socialization and place the kids in age-appropriate groups. He also added this is taught by highly qualified Physed Teacher.

Mayor Lincoln thanked Mr. Bandemer and questioned City Clerk Ohler if this is on the agenda for this evening.

City Clerk Ohler stated it will be on next month.

Councilman Karpiak questioned which activities will be done.

Bandemer replied there are three activities each day: kickball, net volleyball with the tennis court and dodge ball. He added they also do Capture the Flag and various tag games, speed ball and basketball. He further noted it is a years' worth of physical education wrapped up in a one-week period. Bandemer added snacks and drinks are provided for the kids, there are break times and social interactions. He stated he will have flyers made and have them sent home to all Connellsville kids.

Mayor Lincoln asked what the cost of the camp is.

Bandemer answered the cost for one week as an individual is \$75.00 and goes down from there. He added if you have multiple kids there are multiple kid discounts and multi week discounts. He also noted if you did all five weeks, that would be the cheapest at \$60 a week.

Mayor Lincoln added he has not heard any complaints or issues from this in the past.

Bandemer added it costs about \$5 an hour there to have your kids watched for three hours a day.

James Moore, Discussed AARC Sports, Spring and Summer Basketball Programs

Mr. Moore presented a 3 on 3 Summer and Spring Basketball League, two five-week seasons beginning May 8<sup>th</sup> through June 5<sup>th</sup> and the second season July 10<sup>th</sup> through August 7<sup>th</sup>. He added this would be on Saturdays at Woodruff Park Basketball Courts and there would possibly be two or three games per day. He also added this is for 10-year old's up to adults. Moore noted this is for anyone wanted to get out no matter where you live. He stated it would be \$35 to \$55 per season for each of the five-week seasons.

Mayor Lincoln stated he is glad to see the parks being used and that is why the City puts money into them. He noted Moore will donate \$5 per registrant and \$7 per adult registrant. He added Moore holds their own Liability Insurance.

Moore added he received approval through the Recreation Board.

Mayor Lincoln questioned if Council could approve this by resolution tonight.

Solicitor Witt answered it could be pending review of City Solicitor.

Mayor Lincoln instructed City Clerk Ohler to write up a resolution and Councilwoman Tzan will read it.

Mayor Lincoln asked Mr. Moore to explain his Recycling Program that he has been successfully doing for Dunbar Township.

Mr. Moore gave a proposal to City Council for E-Waste Recycling Events. He added he does not take large household appliances. He added this is free to residents.

Ann Nicholson spoke next concerning the Inclusion Board.

## **CITY TREASURER'S REPORT:**

# **CITY CONTROLLER'S REPORT:**

**Resolution No. 3-19-2021:** "To grant AARC Sports permission to use Woodruff Park for Spring and Summer Basketball League from May 8, 2021 to June 5, 2021; pending approval of the City Solicitor."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

## **CORRESPONDENCE:**

Trinity Lutheran Church, Request to use Cameron Court on Sunday, April 4, 2021, 9 AM – Noon

**Resolution No. 3-1-2021:** "To permit Trinity Lutheran Church permission to use Cameron Court on Sunday April 4, 2021 for their Easter worship service from 9:00 AM until 12 Noon."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Connellsville Veterans Commission, Memorial Day Parade, May 31, 2021, 10 AM

**Resolution No. 3-2-2021:** "To close West Crawford Avenue to North Pittsburgh Street and East Crawford Avenue to the Memorial at North Pittsburgh Street and Memorial Blvd. from 8:30 AM until 12 Noon for the Memorial Day Parade on Monday, May 31, 2021; pending approval of Police Chief, Fire Chief and Penn DOT. Further authorizing the Veterans Commission to use the PA System, Podium and chairs for the Memorial Day Program."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln extended his sympathy to Mr. Jones and his family for the loss of his wife.

Connellsville Area Ministerial Association, National Day of Prayer, May 6, 2021, 12 Noon

**Resolution No. 3-3-2021:** "To grant permission to the Connellsville Area Ministerial Association use of Veterans Plaza to hold its National Day of Prayer service on Thursday, May 6, 2021 from 12 Noon until 1:00 PM; Further authorizing the closure of North Arch Street at this time from through vehicular traffic; pending review and approval from the Chief of Police and the Fire Chief."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

# **REGULAR AGENDA:**

Resolution No. 3-4-2021: "To approve the minutes from the February 16, 2021 City Council Meeting."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-5-2021:** "To waive the Four-Day Resolution Rule to allow for items submitted after the Four-Day Rule to be read at the meeting tonight, such Resolutions will be marked with an asterisk."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

### **MAYOR LINCOLN:**

Police Department Report

Mayor Lincoln thanked Tom Patton for answering phones at the Heart to Hope Telethon. He also thanked the Auxiliary Police for all the work they have been doing, also at the clinics.

Chief Hammerle requested residents lock their car door and consider getting a home security camera.

PROCLAMATION: March 2021 Developmental Disabilities and Inclusion Awareness Month

PROCLAMATION: April 2021, Sexual Assault Awareness Month

**Resolution No. 3-6-2021:** "To appoint Jamie McPoyle to the Connellsville Planning Commission, Term to expire January 2025."

Mayor Lincoln stated there is an opening for the Housing Authority and Zoning Hearing Board, please submit a letter of interest.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-7-2021:** "To appoint J'Taya Pirl to the Diversity and Inclusion Board; term to expire January 2026."

Mayor Lincoln was one of the community outreaches people that were cooking and serving the community.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-8-2021:** "To appoint Heidi Henry to the Diversity and Inclusion Board; term to expire January 2025."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-9-2021:** "To appoint Luke Dyer to the Diversity and Inclusion Board; term to expire January 2024."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-10-2021:** "To appoint Daniel Cocks to the Diversity and Inclusion Board; term to expire January 2023."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-11-2021:** "To appoint Shirley Rosenberger to the Diversity and Inclusion Board; term to expire January 2022."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln added the Detective Patton and Patrolman Cavanaugh will be on the board representing the Police Department. He further announced anyone wishing to be on the board, let the City know. If you are not a resident, you can be on the board, just not vote.

Solicitor Witt announced that "As a City Board, it would be subject to the Sunshine Law and open to the public."

Mayor Lincoln stated the board will begin in April and start getting it in place.

**Resolution No. 3-12-2021:** "To enter into an Intermunicipal Cooperation Agreement with Connellsville Township and the Connellsville Area School District, for portions of the City's 2021 Paving Project (costs to be divided proportionately based on project sections between the participants); to designate the City Clerk to be the point of contact on the City's behalf for any issues or questions that may arise; and to authorize City officials and employees to take such actions as are necessary to effectuate such contract."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

# **REMINDERS:**

Mayor Lincoln stated he spoke to Mr. Cocks concerning the Flag entries and there were 67. He added they will receive them in the next few week and have time to review all entries before the April meeting.

City Hall Offices will be closed Friday, April 2<sup>nd</sup> for Good Friday

City wide clean up volunteer day will be April 24<sup>th</sup>. Mayor Lincoln announced Dr. Jacobyansky stated the Recreation Board would like to take ownership of that Cleanup Day. Mayor Lincoln stated he will announce soon on where and how to sign up.

Councilman Karpiak noted at the rim and top part of East Park and Wills Road (hill) is a City disgrace. He added he has equipment that will have electric wenches that are battery operated and powerful enough to grab hold of the mattress and grab it up over the hill. He added they need someone on the other end who is accomplished to hanging on and climbing.

Mayor Lincoln stated New Haven Hose volunteering have training and maybe Chief Layton can get someone for that day.

Council and City Clerk Ohler discussed options further.

Councilman Karpiak discussed cleaning up the hillside at East Park and the different ideas on how to go about it. He stressed people are littering.

Mayor Lincoln stated you can put a mattress and box springs at your curb every week. He noted it is in the garbage contract.

City Spring garbage day will be May 8<sup>th</sup>. He added residents are not to place items out until May 7<sup>th</sup>.

Community yard sale is May 1st

Christian Church, 212 S. Pittsburgh Street, Free Community Lunch every Monday beginning 11:30 AM until 1 PM, 724-628-3802

## **KEEDY:**

**Resolution No. 3-13-2021:** "To abate and exonerate the City Treasurer from collecting 2021 Real Estate Taxes on City owned properties, which shall be exempt from 2021 City Real Estate Taxes known and located as follows: Connellsville Community Center, lots 15, 23 and 31, 201 East Fairview Avenue, \$333.59 and Connellsville Community Center, PT Lot 7, South Cottage Avenue, \$55.14."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln discussed the new restrooms at the Community Center and how beautiful they are as well as the gym. He noted they are almost full with tenants.

## **KARPIAK:**

Public Works Report

Councilman Karpiak announced the Public Works Department used a lot of salt and there is still a lot of anti-skid on the roads. He added they are getting ready to paint and fill pot holes. He also stated they will be using the garage to store things to keep them longer and get them out of the weather.

### TZAN:

**Resolution No. 3-14-2021:** "To open bids received for the re-roofing of the Connellsville Public Works Garage."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Karey Bell, Widmer Engineering, explained the bids. Tape could not pick up his words.

Solicitor Witt questioned Mr. Bell on which contractor he spoke with on the phone today for the record.

Mr. Bell answered Fleeher Contracting.

Solicitor Witt questioned what Fleeher Contracting indigitated.

Mr. Bell replied they stated they want to have their bid rescinded.

Solicitor Witt stated Fleeher noted they will follow up with written conformation that they will have rescinded their bid. He added to note this in the minutes, the procedure that is being followed on this.

Bids were opened and documented as follows (attached to minutes)

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# BID RESULTS SHEET

Project: CITY OF CONNELLSVILLE - RE-ROOFING OF THE PUBLIC WORKS GARAGE

Location: CITY OF CONNELLSVILLE, PA 15425

Bid Date: MARCH 16, 2021 AT 6:00 P.M.

W.E. # 21576

	Contractor	Phone #	Bid Amount	Addendum Received
1	Arkadia Contracting, Inc ATTN: Nick Contis	412-429-5980	1. 225,000 SALT 284,300 177,000	Yes
2	Blair Construction ATTN: Nicole Branan	724-664-4403	1. 154,000 \$ APT 191,000 ALT 2 133,000	Yes
3	Dewey Services ATTN: Kyle Bennett	724-317-5795	\$	THIDED
4	Fleeher Contracting ATTN: Dennis Fleeher	724-746-1060 724-746-1833	\$ PULLED/Resin	DED Yes
5	Florian Construction Inc. ATTN: Joshua Florian	724-678-3802	\$	
6	Grahamboys LLC DBA Graham Construction ATTN: Brent Graham	724-566-3244	\$	Yes
7	JLD Construction LLC ATTN: Stevie Bradford	724-554-6079	\$	
8	Kuhns Brothers Construction, Inc. ATTN: Dave	724-694-5424	(196,022 -3 1 \$2,23,455 -4-3 3,267,571 -4 2	Yes
9	Nevaeh Pipe Bursting LLC ATTN: TRACY L MCKIVITZ	724-455-8535	\$ 151,801	Yes
10	Suter and Sons ATTN: Brian Suter	724-322-6542	\$	

Bids results continue on next page.

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4	Fleeher Contracting ATTA Dennis Fleeher	724-746-1033	S RESCINDED Xes			
5	Florian Construction Inc. ATTN: Joshua Florian	724-678-3802	s			
6	Grahamboys LLC DBA Graham Construction ATTN: Brent Graham	724-566-3244	\$			Yes
7	JLD Construction LLC ATTN: Stevie Bradford	724-554-6079	\$			
8	Kuhns Brothers Construction, Inc. ATTN: Dave	724-694-5424	35.00 15 00 20, 202	123,455	167,571	Yes
9	Nevaeh Pipe Bursting LLC ATTN: TRACY L MCKIVITZ	724-455-8535	3,961	154, Tel SI	71,037	Yes
10	Suter and Sons ATTN: Brian Suter	724-322-6542	\$			

Mayor Lincoln questioned if Council is permitted to discuss the cost that they were hoping to have bids below.

Solicitor Witt answered after bids are opened, they can discuss it.

Mayor Lincoln stated the City does have \$100,000 for this.

City Clerk Ohler added they reached out to a contractor they used before who stated the City can go this way and they didn't even bid.

Mayor Lincoln questioned if the bids could be tabled for a month until they figure out if they can use stimulus money to pay for this.

Solicitor Witt answered yes. He noted Council has sixty days to review the bids once they are opened.

Resolution No. 3-15-2021: "To table accepting of roof bids."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-16-2021:** "To permit the Connellsville Garden Club use of the East Side Fire Station, on May 29, 2021, for their "Geranium Drive-Up" event; traffic control will be provided by the Connellsville Police Auxiliary upon approval by the Chief of Police and the Fire Chief."

Mayor Lincoln stated you will be able to use Pay Pal this year to pay for your flowers.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-17-2021:** "To enter into an Agreement with the Connellsville Girls Softball League for use of the East Park Field and Concession stand for the 2021 season. The League must obey all CDC guidelines for COVID issues."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 3-18-2021:** "To advertise for the hiring of summer workers for the Public Works Department at a rate of \$8 per hour for a maximum of 35 hours per week for the summer season, such cost to be taken from line item #01430-145."

Mayor Lincoln questioned if previous summer workers can be contacted.

City Clerk Ohler stated all three are now in college and not able to apply.

Councilman Karpiak added employees must have a valid Driver's License.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

City Clerk Ohler discussed the boxed files in the Fire Department Basement and that when they dispose of them, every item must be voted on by resolution.

Solicitor Witt stated they all have to be identified and categorize them under a regulation that the State puts out before they can actually be disposed of.

Mayor Lincoln stated he heard from the Laurel Highlands Visitors Bureau and the gorgeous new Visitors Center that was put in at the Yough Park Concession Stand will have a ribbon cutting on April 2, 2021 at

10 AM. He thanked the City Clerk for working with Magistrate Haggerty and the General Braddock's Fish Club. Mayor Lincoln thanked Tristian and LeAnn Triggs from Yough Glass for creating a beautiful mosaic art piece that will be a part of the inside counter that will part of the Welcome Center. He added Laurel Highlands Visitors Center is looking for one more person to work the center for twenty hours per week. Mayor Lincoln thanked Mureal for allowing the City Clerk and himself have her ear about buying a new side by side rescue vehicle for New Haven Hose Fire Department. He added the County Commissioners have approved this and it has been ordered. He added that he is hopeful that at the Ribbon Cutting, New Haven Hose can be there with the rescue vehicle on display for everyone to see.

## **TOPPER:**

Health/Code Officer Report New Haven Hose Report

Councilman Topper thanked New Haven Hose for assisting in the Plunge for the Heart to Hope Telethon.

**Resolution No. 3-20-2021:** "To accept the transfer of the property located at 232 East Crawford Avenue (Parcel ID: 05-09-0086); subject to declare structure and the property as a blighted structure; and to transfer the property to the City of Connellsville Redevelopment Authority; on the condition that the property remains in the same condition from it's most recent inspection; at no cost to the City."

Mayor Lincoln questioned if once the City takes it over, can the City make them get their belongings off the property.

Solicitor Witt answered his understanding is that they already have moved items off the property.

Code Officer Currey stated that the tires are all gone.

Mayor Lincoln asked if the vehicles and dumpster are there.

Code Officer Currey stated that is a different property. He explained the location of the property.

Mayor Lincoln then questioned a property close to the one on the resolution that was read.

Code Officer Currey answered that the guy sold it in "Quick Claim" to someone who is working on the structure right now. He added that is why there is a dumpster, he is taking the back porch off as it was falling off and then he is replacing the front porch and then he will remodel it to get it occupied again.

Mayor Lincoln questioned how to know if it will not cave in again. He added that house has been vacant and in horrible condition for a long period of time and including the roof.

Code Officer Currey replied he cannot tell someone how to spend their money so if they want to put their money into that structure to fix it up, that is their choice.

Mayor Lincoln clarified he is questioning the safety, not financially.

Code Officer Currey stated he will go through and inspect the property.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Councilman Karpiak questioned if the property just discussed was deemed "Unfit for Human Habitation".

Code Officer Currey answered yes and that is why he can inspect it after the work is complete.

Councilman Topper stated the Fire Chief asked him to pass on the following information:

"If the Code Officer cites you for garbage on your property or whatever it may be including items on your porch, couches, building materials, whatever it is, and he tells you that you have to move it, that does not give you permission to light it on fire in your yard. We have had issues with that lately and people are deciding to torch it. He wanted me to mention that it has to be disposed of in a proper fashion."

Mayor Lincoln added a Fire Ordinance was passed in 2014 and people can be legal charged for illegal burning.

Code Officer Currey stated he knows of two cases where he cited people. He added the Police Department and New Haven Hose can cite too.

Mayor Lincoln added there is weekly garbage pickup so there is no reason to burn in the City, ever.

Councilwoman Tzan added just take it to your curb and not your back yard and set it on fire.

Councilman Topper noted to bag the items and not just put on the curb.

Mayor Lincoln stated there is a City Ordinance that you must have a lid on your garbage can.

Mayor Lincoln discussed the Cecil home on Crawford Avenue, questioning if anything was discussed at the Redevelopment Authority meeting.

City Clerk Ohler answered no.

Mayor Lincoln clarified questioning if they discussed demolition, opening bids or anything.

Solicitor Witt stated that was discussed in Executive Session. He added they wanted to be sure that they understood the process especially since there is fire escrow money involved. Further he added they are going to begin the process of listing proposals for demolition of that property.

Mayor Lincoln stated the residents around that property are patiently waiting for results on that house.

Solicitor Witt stated they understand that after the demolition occurs, they can submit the cost for that to be reimbursed from the City's Fire Escrow Ordinance to the extent that there are funds available to cover that. He added they are requesting a copy of the Code Enforcement condemnation, everything that is going on with that property so they have a record of everything that transpired.

Mayor Lincoln questioned if one of the neighbors can purchase the property once it is torn down.

Solicitor Witt answered that since it is a condemnation demolition, where we are condemning the structure and not going in to abate the nuisance by demolishing the structure, neither the City nor the Redevelopment Authority will own the property itself, we can put a lien on it, but ultimately, they would have to negotiate with the property owner or wait for it to go up for a tax sale or something like that to acquire the property.

Mayor Lincoln questioned if someone can rebuild on that property.

Code Officer Currey answered yes.

Councilman Topper stated they would have to clear the condemnation lien.

Code Officer Currey stated the current owner would have to go through and post a bond if he wanted to go through and build anything. He added that the owner is in jail right now.

Resolution No. 3-21-2021: "That this meeting of City Council does hereby adjourn."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.