

Connellsville City Council MINUTES
OCTOBER 19, 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, Topper and Tzan. Also attending was City Clerk Ohler and Solicitor Witt.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: Led by Reverend Matt Goldsberry

Mayor Lincoln administered an Oath of Office to the following new Patrolman for the Connellsville Police Department: Ryan Layton and Ryan Francis

REMARKS FROM VISITORS/PUBLIC COMMENTS:

Fire Chief, Jeff Layton requested he read New Haven Hose's Report early. Request was granted and Layton read the report.

Layton reminded residents of Trick or Treat on October 31st beginning 6 PM until 8 PM and noted New Haven Hose will be out ensuring the safety of the residents.

Jim Annis, Vanderbilt, questioned if the city has taken over the secretary duties at South Connellsville. Mayor Lincoln requested he give Chief Hammerle his contact information to pass on to the appropriate person at South Connellsville Borough.

CITY TREASURER'S REPORT: Given by Treasurer Marilyn Weaver

Weaver report the city is ahead of last year and doing well.

CITY CONTROLLER'S REPORT: Given by Controller Bruce Witt

CORRESPONDENCE:

Pastor Daniel Clark, Request to use basketball court in Cameron Court on October 24th

Resolution No. 10-1-2021: "To grant permission to St. John's Lutheran Church to use the basketball court in Cameron Court on October 24, 2021 for their 150th Anniversary."

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

Payne A.M.E. Church, Parking request for Election Day Dinner on November 2nd

Resolution No. 10-2-2021: “To grant permission to Payne A.M.E. Church at 812 West Crawford Avenue, to reserve the parking on West Crawford Avenue in front of the church from 11 AM until 5 PM on November 2, 2021 for their Election Day Dinners.”

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

Chamber of Commerce, Christmas in the Park, November 20, 2021 at Yough Park

Mayor Lincoln stated Santa will be brought in on a sleigh, pictures will be taken by Walmart, food vendors, children’s activities, Ninja Challenge Obstacle Course, basket raffles, concessions and children’s crafts and more. He added there will be treat bags for the first 500 children. He further noted if you would like to support this event, please call the Chamber of Commerce at 724-628-5500.

Resolution No. 10-3-2021: “To grant permission to the Chamber of Commerce to hold Christmas in the Park on November 20, 2021.”

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

Linda Suter, Permission to hang wreaths on McCray Robb Bridge

Mayor Lincoln thanked the Suter family for their donation of wreaths each year.

Resolution No. 10-4-2021: “To permit Roger Suter and Sons, Inc. permission to purchase two wreaths to be hung on the Officer McCray Robb Bridge during the Christmas season; further authorizing the Connellsville Public Works Department permission to hang the wreaths; pending review and approval of PennDOT.”

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

REGULAR AGENDA:

Resolution No. 10-5-2021: “To approve the minutes from the September 21, 2021 City Council Meeting.”

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

Resolution No. 10-6-2021: “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 Tzan, Topper, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

MAYOR LINCOLN:

Police Department Report given by Chief Hammerle

Mayor Lincoln reminded residents again to not leave vehicles unlocked and do not keep valuables in vehicles.

Chief Hammerle added vehicle break-ins are not just in the city, but everywhere around our area.

Resolution No. 10-7-2021: “To accept and adopt the Redevelopment Authority’s Four-Factor Analysis for Limited English Proficiency Persons, including but not limited to the Certification included therein, and to authorize and direct the Redevelopment Authority to implement such analysis and all related conclusions and certifications.”

Mayor Lincoln asked if this has something to do with for example braille in the offices.

Solicitor Witt explained the City’s numbers are not high enough to require the resources at City Hall to be in braille and different languages, that excludes the city from the Federal requirements. He noted what could happen is the Diversity Board could guide people to those resources.

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

Resolution No. 10-8-2021: “**LET IT BE KNOWN TO ALL PERSONS** of the City of Connellsville that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, sex, national origin, religion, familial status(families with children), or handicap (disability) is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Act) and the Pennsylvania Human Relations Act adds the additional protected classes of age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals. It is the policy of the City of Connellsville to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, sex, national origin, religion, familial status, handicap, age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals. Therefore, the City of Connellsville does hereby pass the following resolution:

BE IT RESOLVED, that within available resources the City of Connellsville will assist all persons who feel they have been discriminated against because of race, color, sex, national origin, religion, familial status, handicap, age, ancestry and use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals to seek equity under federal and state laws by filing a complaint with the local Fair Housing Officer, Pennsylvania Human Relations Commission and the U.S. Department of Housing and Urban Development, whichever is chosen by the person filing the complaint.

BE IT FURTHER RESOLVED that the City of Connellsville shall make publicly known this Resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Act, the Pennsylvania Human Relations Act, and any local laws or ordinances.

FURTHER ACTION will at a minimum include, but not to be limited to:

- (1) Publicizing the name and contact information of the local Fair Housing Officer, which will include the process to file a complaint if a person feels they have been discriminated against in housing in any manner and other applicable fair housing information through local media and community contracts; and
- (2) Conduct at least one fair housing activity annually to better inform the public of their rights under the Fair Housing Law and Pennsylvania Human Relations Act; and
- (3) Use the fair housing logo on all materials dealing with housing programs such as but not limited to:
 - a. Public advertisements for vacancy or discussing the program
 - b. Applications for assistance
 - c. Contracts
 - d. Municipal letters dealing with the federal programs

If you're a person with a disability and require a reasonable accommodation to be able to access any notification, please contact the business offices of City of Connellsville 110 North Arch Street, Connellsville, PA 15425, 724-628-2020, connellsvillecityclerk@gmail.com www.connellsville.us . If you're Limited English Proficient and require a document translation of any notification, please contact the business offices of City of Connellsville 110 North Arch Street, Connellsville, PA 15425, 724-628-2020, connellsvillecityclerk@gmail.com www.connellsville.us .”

Solicitor Witt explained this is another requirement for CDBG Funds and notifies the public there are resources if they feel they have been discriminated against.

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

Resolution No. 10-9-2021: “The City Council of the City of Connellsville, hereby re-designates the City Clerk of the City of Connellsville, to serve as Section 504 Compliance Officer throughout the implementation of the Community Development Block Grant Program. Citizens with Section 504 grievances must submit them to the Section 504 Compliance Officer within two weeks of the date the person filing the grievance becomes aware of the alleged discriminatory action. The office will respond in writing to written citizen grievances. Citizen grievances should be mailed to: City of Connellsville, 110

North Arch Street, Connellsville, PA 15425. All written citizen grievances will be responded to within thirty (30) calendar days of receipt of the comments. Should any individual, family, or entity have a grievance concerning any action prohibited under Section 504, a meeting with the compliance officer to discuss the grievance will be scheduled. The meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the grievance, a reply will be made, in writing, within thirty (30) calendar days. If the citizen is dissatisfied with the local response, they may write to the PA Department of Community and Economic Development, Keystone Building, 400 North Street, 4th floor, Harrisburg, PA 17120. DCED will respond only to written comments within thirty (30) calendar days of the receipt of the comments.”

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

Resolution No. 10-10-2021: “A Resolution of the City of Connellsville, Commonwealth of Pennsylvania, authorizing the submission of an application to the Pennsylvania Department of Community and Economic Development for funding through the Community Development Block Grant (CDBG) Program, as authorized under the Housing and Community Development Act [42 USC 5301 and 24 CFR Part 570], and further certifying compliance with the requirements of said program.

WHEREAS, it is necessary and in the public interest that the City of Connellsville, Pennsylvania, receive funds from the Commonwealth through the Department of Community and Economic Development in accordance with the Community Development Block Grant Program; and

WHEREAS, the City of Connellsville has the legal authority and responsibility under Act 179 to apply for Community Development Block Grant funds; and

WHEREAS, the City of Connellsville have undertaken a considerable citizen participation process including written invitations to municipalities, informational meetings, hearings and legal notices all of which culminated in the prioritization of projects and development of a Community Development Plan; and

WHEREAS, the City of Connellsville are familiar with the requirements of the program as provided for in the Housing and Community Development Act (HCDA) and the Community Development Block Grant regulations; and

WHEREAS, the City of Connellsville wishes to apply for said funds.

NOW, THEREFORE, BE IT RESOLVED by the City of Connellsville that its mayor is authorized to have prepared the necessary forms and documents to submit an application to the Department of Community and Economic Development for Community Development Block Grant funds for the purposes aforesaid; and

BE IT FURTHER RESOLVED if CDBG funds are determined by the Pennsylvania Department of Community and Economic Development to be expended on ineligible program costs or do not meet a national objective, the City of Connellsville agrees to repay the proportion deemed ineligible from non-federal sources.

BE IT FURTHER RESOLVED that the Community Development Plan was developed in coordination with low and moderate individuals, interested organizations, non-profits and other interested parties through the citizen participation process and municipal information gathering is hereby adopted; and

BE IT FURTHER RESOLVED that the Mayor of the City of Connellsville is empowered to place his/her signature, on behalf of the governing body, on necessary application forms and affix thereto the official seal of the City of Connellsville.

Adopted by the City of Connellsville at the regular meeting on October 19, 2021.”

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

Mayor Lincoln announced Suters is ready to begin the bank reinforcement project and moving their equipment in now.

Mayor Lincoln also announced the Municipal Authority is offering their generator to the City and they need to make a decision if they want it. He added if Council does not want this, the Municipal Authority will sell it and put it back into their General Fund.

Solicitor Witt reminded Council of the new State Rule. He stated Council can announce an item, but not discuss it or take an official action. Witt clarified that would need to be on this agenda.

Mayor Lincoln questioned Solicitor Witt if Council can ask him for an update on the Municipal Authority.

Solicitor Witt answered yes if it is informational.

Mayor Lincoln stated in this years City’s budget, we have the acquisition of the old Fayette EMS Building on Arch Street and that did not happen. He added he spoke to the Chairman of the Municipal Authority Board and he said that he would still like to have the City acquire the property and that Solicitor Witt and their solicitor were having discussions on. Mayor Lincoln asked Solicitor Witt if he is permitted to update everyone on how that is going.

Solicitor Witt stated that is confirmed with the solicitor for the Municipal Authority. He added that is the intention of the authority is to transfer that building. He added the concern is they want to make sure that the work that is being done right next door to it – one the same property – that needs to be completed to determine whether they need more easements running through that area before they can turn that over to the City. He stated they are waiting for that process to be completed and then turn that property over to the City.

Mayor Lincoln questioned if that money should be in the 2022 Budget.

Solicitor Witt replied there was no discussion on timing. He added a confirmatory letter that it may be done for 2022, then the city could feel comfortable putting that in the budget. He stated he could request that letter.

Mayor Lincoln then stated there will be a Press Conference to announce the rebranding of our Logo. He added once Council approves it, they will have it Trademarked.

Resolution No. 10-11-2021: “To approve the new City of Connellsville logo as designed by Sparq Designs and the logo committee.”

Mayor Lincoln added the slogan is “Discover our good nature.”

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

Mayor Lincoln stated Council will appoint a replacement for Norma Cindric from the Municipal Authority Board who passed away. He stated Council sends their thoughts and prayers to her family.

Resolution No. 10-12-2021: “To appoint Tom Karpiak to the Connellsville Municipal Authority Board; this appointment is effective immediately and will expire January 2022.”

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

REMINDERS:

Toastmasters are hosting a Red-Carpet Event on November 9th at 6 PM and the public is invited. You must RSVP to Judy Eanes or Sherry Joseph or Laurel Highlands Toast Masters Club

Connellsville Police Officers’ Association’s 1st Annual 5K Race, October 23rd, Registration at 9 AM, Race at 10 AM, held at Yough Park, \$30 day of event

Connellsville Township VFD, October 23rd, Pendulum, \$20 Dinner 5 PM & Show 7 PM

Sidewalk event on the west side, October 23rd from 11 AM – 4 PM in front of Serinity Hill Counseling Center

New Haven Hose’s Halloween Parade, October 26th, 7 PM, beginning at South Side Grocer. To sign up call Charlie Matthews.

Trick or Treat, October 31st, 6 PM – 8 PM

Payne AME Church, Election Day Dinner, 11 AM – 6 PM, 724-626-8336, \$12

Chili Fest, November 6th, \$10 tickets, 11 AM – 2 PM, 724-603-2093

Porter Theater, November 13th, Fungus, Truth & Rites, 7 PM, \$15

Wreaths Across America, \$15 to place a wreath on a grave, due November 19, 2021. Laying of wreaths is December 19, 2021. Linda Shearer, 724-322-1494

November 20th, Chamber's Christmas in the Park, 11 AM – 4 PM

Mayor Lincoln stated Light Up Night should be the Saturday after Thanksgiving and believes the Chamber is turning the Christmas lights on at 5:30 PM. He stated that if anyone has ideas for something around the Christmas Tree at City Hall would be great.

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

Breakfast with Santa, December 4th & 18th at 9 AM, Canteen, 724-603-2093, Adults \$15, under age 10 years is \$10

Mayor Lincoln stated City Church is back to hosting the Thanksgiving Dinner at the Sr. Center on Thanksgiving Day. He added they will announce soon what items are needed to help serve the community.

KEEDY:

Resolution No. 10-13-2021: "To pay \$11,097.00 to the Pennsylvania Municipal Retirement System for the 2021 Minimum Municipal Obligation (MMO) Payment; monies to be taken from line item #483.300."

Councilman Keedy stated this is to pay the MMO for the Administrative Department.

Mayor Lincoln questioned if contact has been made with them yet to start negotiations with their contract yet.

City Clerk Ohler stated they met as a group and got information out to their representative but have not made an attempt to meet with Council yet.

Solicitor Witt questioned when the contract expires.

City Clerk Ohler answered this year.

Mayor Lincoln stated they are trying to get it done because of the budget.

City Clerk Ohler stated that the admin did reach out to their Union earlier in August but the Union stated it was still too early.

Mayor Lincoln questioned Solicitor Witt if Council can discuss this.

Solicitor Witt replied yes.

Mayor Lincoln questioned if they should ask for a Contract Extension.

Solicitor Witt replied that should be reserved for Executive Sessions since that is a Personnel issue. He also stated he thought he was discussing the pension resolution.

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

Resolution No. 10-14-2021: “To pay \$459,750 into the Police Pension Plan in order to satisfy the 2021 Minimum Municipal Obligations (MMO), monies to be taken from line item 410.160.”

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

Resolution No. 10-15-2021: “To pay \$109,014 into the Fire Pension Plan in order to satisfy the 2021 Minimum Municipal Obligations (MMO), monies to be taken from line item 411.160.”

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

Councilman Keedy stated leading into next year the MMO for 2022 Firefighter’s stays about the same at \$109,014 and the Police has gone down a little to \$457,567.

Councilman Keedy stated there is a budget meeting on October 25th and they will be going over the expenditures.

KARPIAK:

Public Works Report

Councilman Karpiak stated it is leaf sweeping season and it is on the City’s Facebook Page. He asked residents to put them to the side next to the alley or next to the road. He also stated the City will not go onto a property.

Mayor Lincoln stated beginning the 25th is bagged leaf schedule. Mayor Lincoln read the schedule.

Mayor Lincoln thanked the Public Works Department for their help with setting up and tearing down for Tangled Up in Brew. He added “In 10 years, this year has gone the smoothest and they did it all.”

TZAN:

Councilwoman Tzan thanked the Public Works Department for what they did for Tangled Up in Brew.

Mayor Lincoln added over \$24,000 was raised this year. He added more volunteers are needed for events.

TOPPER:

Health/Code Officer Report

New Haven Hose Report was given at the beginning of the meeting.

Councilman Topper stated the yearly pizza fundraiser will not be held due to employers being short staffed. He noted there will be a food drive instead of the pizza fundraiser beginning October 29th. He stated there will be a competition of 9 employees or less and 10 employees or more raising the most canned food, funds or items will win a pizza party from all the different pizza places. Councilman Topper stated if anyone wants involved to call the Connellsville Chamber. He thanked the Chamber for their involvement. He added he or the police can also be contacted. Councilman Topper announced this drive is to stock the Bill Swan Food Pantry for the upcoming holiday season by October 29th.

Mayor Lincoln stated City Council was excited for the Quality-of-Life Ordinance. He noted there is a major issue with a house on North Penn by the hospital. He stated "One with garbage collection. For whatever reason, County Hauling does not want to pick garbage up at this house." He added they sent him a picture and he sent it to the City Clerk, Vernon Ohler, who contact the County Hauling Representative. Mayor Lincoln stated his issue is "can we not now take the Quality-of-Life Ordinance and do something about the persons who own this home or persons renting this home?" He questioned what is going on with Code Enforcement noting there is clearly there is a major issue with cleanliness of this property. He questioned Code Officer, Tom Currey what the status of the property.

Code Officer, Currey replied they cannot use the Quality-of-Life Ordinance yet because they need to make tweaks to it first, have been cited and it's a County Hauling issue and looked to be normal garbage that should be picked up. He noted the previous citations are waiting for the magistrate.

Mayor Lincoln stated they are telling him they are not getting returned phone calls.

Currey replied he had several calls about the TV and mattress. He noted he mistook the property and was mistaken. He added he cannot give responses on what is going on at a property without a right to know request.

Solicitor Witt agreed and noted that you cannot give specifics.

Councilman Topper added it is frustrating that you cannot fix issues immediately and he deals with it daily. He stated you can cite and then wait for court date which are not prioritized.

Mayor Lincoln stated he invited the residents to this meeting and they did not show. He added when it is uploaded to YouTube, they can see what was discussed.

Currey noted they can call him anytime.

Mayor Lincoln added they are doing all the State of Pennsylvania allows them to do.

Councilman Topper added 99% of the time they are doing something and going through the steps. He added you can look out your window and see it is not resolved, there is a due process in the works. He also noted there is the Third-Class City Law, there is the Constitution and a lot the City has to work through to solve the issue. He added the City cannot just walk onto someone's property. Councilman Topper said they met yesterday to tweak the Quality-of-Life Ordinance which will not solve all the City's issues. He added no ordinance will solve all the City's issues or any municipalities issues. He explained all the city can do is find the best course of action and hope that nothing in the system changes. Councilman Topper stated he promises everyone that they are always working on things.

Councilman Keedy added he would like an answer from County Hauling over an issue he had.

Mayor Lincoln stated he has not had a complaint about them since this property's issue. He added it has got better with this company.

Councilman Topper stated Daylight Savings Time ends the first weekend of November and it is time to change the clocks and batteries.

Mayor Lincoln added the Redevelopment Authority opened the bids for the East Side Fire Hall project. He noted the bids were in line with what was expected and the bid was awarded.

Solicitor Witt added there were a couple of issues with the bids and they were approved as pending his and the engineers review and approval. He also noted there was a small short fall of the amount of funds available so the City would have to reallocate. He stated once that is done the City can issue a notice to proceed.

Resolution No. 10-16-2021: "That this meeting of City Council does hereby adjourn."

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