

**Connellsville City Council
Special Meeting - Minutes
March 4, 2014**

This special meeting of the Connellsville City Council was held this evening at 6:00 p.m. at the Connellsville Community Center, Connellsville, PA. Attending this meeting was Mayor Lincoln, Council members Karpiak, Zolbrod, Geyer and Ritch. Also attending this meeting was City Clerk Tesauro and Solicitor Witt.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE:

REMARKS FROM VISITORS/PUBLIC COMMENTS:

Mayor Lincoln asked if anyone would like to discuss something other than the Human Rights Ordinance.

Geno Gallo, Sustainable Connellsville, Announced the Bicycle Master Plan Meeting pertaining to bicycle lanes throughout the town. It will be at the Library on Wednesday the 12th at 6 PM. He then announced April 12th is Connellsville's Clean-up.

Mayor Lincoln added the Bicycle Meeting will be covered by Seth at Armstrong, so if you are not able to attend the meeting, you will be able to watch it on TV. He then asked if anyone else had comments other than the Human Rights Ordinance. Lincoln announced before Council begins the public discussion, everyone should know that each person is limited to speak for three minutes. He then instructed the audience that while the person is speaking, everyone is to be respectful and listen with no outbursts. Lincoln noted after three minutes the next person will be called. Lincoln instructed that all questions will be saved until after each person has spoken. He noted after the last person speaks, everyone will be given an opportunity to come back up and ask questions. Lincoln stated City Council or Ted Martin from Equality Pennsylvania will try to answer it will try to answer all questions. He instructed the audience to state their name and where they are from if they choose to speak.

Mayor Lincoln called the following names to speak:

Ted Martin, (Harrisburg, PA) former Connellsville resident and Executive Director of Equality Pennsylvania which is the Statewide Lesbian, Gay, Transgender Advocacy Organization. He stated their job is to work for equality across the Commonwealth of PA. Martin discussed what it was like in Connellsville as a resident before he moved away to college. He noted what he has seen in the past few days is that Connellsville trying to come back and make things better. Martin stated that this ordinance is simply about fairness for residents and explained the ordinance.

Dan Cocks, Connellsville resident. Discussed and explained the Human Rights Ordinance.

David Stupka, Connellsville resident. He noted he has two sons that both served in the military that he is proud of and they are both gay. Stupka stated that whatever Council does tonight he hopes that it doesn't divide the community and residents can live in peace.

Patty Firestone, Connellsville resident. She stated she feels the problem is jealousy more than anything in town and people just need to work together.

Geno Gallo, Connellsville resident and Sustainable Connellsville Coordinator. He noted three components of Sustainable Connellsville is the economy, social justice and the environment. Gallo stated he is concerned about the ordinance noting a lot of it is redundant and maybe not necessary. Gallo also stated it is extensive and businesses would have to operate around it. He further stated that Connellsville is already a diverse community. Gallo stated you cannot create an ordinance that makes you think a certain way. He further stated this ordinance may have huge unintended consequences and cause the community to be divided rather than united. Gallo said he fears it will be expensive, a lawyer's playground and clunky to operate. He also stated Council's time and the City's money should be spent on economic viability.

Ann Nicholson, Connellsville business owner, lives in Mill Run. Discussed how her son was bullied at school for being different.

Michael Edwards, Connellsville Redevelopment Authority. Edwards requested Council adopt the Ordinance in order to abide by and be in compliance with the CDBG Regulations which DCED and HUD put for their directives. He noted this would help address any questions with fair housing. Edwards stated a directive from HUD is Section 504 which is the Handicap Accessibility. He stated that handicap has a broader and federal definition other than wheelchair and cane, noting it is mental impairment.

Gary Colatch, Connellsville business owner, Connellsville Township resident. He quoted Patrick Henry. He noted this could be fixed with education and teaching children not pick on those who are different. He further stated this is the responsibility of parents and Americans. Colatch stated our Declaration of Independence and Constitution are protecting our freedom. He then noted the Constitution of the State of Pennsylvania protects our rights. Colatch added we also have the Civil Rights Act of 64 and 68 to protect us. He noted the committee for the Human Rights Ordinance would be broad and encompassing. Colatch stated "We don't need another Government Agency with broad power over the people of this City determining Civil Rights." He expressed people look at their rights differently.

Someone in the audience spoke and the words were not audible.

Mayor Lincoln stated the purpose of this meeting is to speak to Council and give your view on this ordinance. He noted when you come up to the podium, you are addressing Council. He also stated when everyone has had a turn; they can come back and ask questions.

Joseph Orszulak, Connellsville business owner of Katheryn's Jewelry. Orszulak stated there is a hidden "cancer" in this ordinance, noting it permeates the schools, the City, County, State and Nation. He stated the main stream media is glorifying and celebrating irreligious acts, criminality and immorality. Orszulak noted the courts are being infiltrated by atheism. He added they are also being threatened and intimidated by minority groups to go against the laws of God. Orszulak stated the Supreme Court has ruled Atheism as a religion. He stated parts of this ordinance are covering up for what is bad and morally wrong. Orszulak told Council he does not want Connellsville to become another Pittsburgh or Philadelphia. He commended Mayor Lincoln and Council for publicly standing up for God and the Ten Commandments. Orszulak asked Council to reject this proposed ordinance.

Rev. Ewing M. Marietta, Connellsville resident. He stated while being raised he was taught to treat everyone with love. Marietta informed Council about a Human Rights Group that investigated a bus company for putting Merry Christmas on the side of their bus. He added they also investigated a Councilman who went to a private event and prayed. Marietta stated treating everyone with love and kindness should start at home and the schools, not by having a Human Rights Commission. He noted Lancaster County disbanded their Human Rights Commission and requested Council find out why. He informed them many other areas are following Lancaster and doing the same.

Barry Witt, Connellsville resident. Witt stated he feels this ordinance would create a governing body that is bigger than Council and will have broader powers. He added this proposed ordinance has no safeguards for boy scouts and little or no safeguards for churches. Witt stated he feels everyone will loose and businesses would have a chilling effect with this ordinance. He stated churches are made to feel unwelcome by this ordinance and keeps them from receiving funds for things like soup kitchens. Witt explained that tax payers would lose being the ordinance reads about expenses and paid staff.

Rev. Donna Kopitsky, Minister in Connellsville. Kopitsky stated the best way for community to grow is through cooperation and treating everyone with respect. She stated that when the new hotel comes into town, people are going to want to feel protected. She noted she feels this ordinance is a first draft. Kopitsky requested Council revise the ordinance and do whatever they can to move it forward and make Connellsville a welcoming City.

Suzanne Zampella, Connellsville resident. She stated there is a section in the ordinance that states the Commission can change their own rules and there is no clear accountability. Zampella stated this goes around the design of our American system. She explained that she is against this ordinance.

Shirley Rosenberger, Connellsville business owner. She stated everyone who enters a class at her business must sign a NO-BULLY clause. Rosenberger stated bullying is just like discriminating. She requested Council work on this ordinance as a foundation to make it better.

Paula Johnston, Connellsville resident. She stated she and Dan Cox proposed this ordinance to Council last month. Johnston stated she believes adopting this ordinance will improve the community. She stated the City needs safeguards and legislation for discrimination.

Judy Kroeger, Connellsville resident. Kroeger stated this is a wonderful opportunity for Connellsville to take the lead and to show that everybody is human and everybody deserves a chance.

ZOLBROD:

Zolbrod thanked everyone for speaking, being honest and stating what may be difficult to state. He requested that everyone forget we are talking about the rights of gays, lesbians or color. "I want for everyone to think for a second that you were accused of a crime. Now I want you to think about if you were being judged by five other people here who were appointed. There would be eleven people, appointed by five others and you were accused of a crime. Those eleven people who are not judges could condemn you of a crime you were accused of. Now let us forget about that and address the people who are worried about this ordinance. What they are worried about is the power of eleven people on a commission can say they are guilty of a crime. That gives a lot of power and that is my concern about this ordinance. I want everyone

treated equally.” He noted the ordinance is about not judging people but the commission will be judging. Zolbrod stated he would not pass the ordinance the way it sits right now. He added it gives too much power to eleven people who are appointed by Council who have no training. Zolbrod noted he understands there will be training but has his concerns. He stated he would propose a commission created for training people on how to be more accepting of others. Zolbrod said the commission could be educators and mediators with no other powers. He added that some Cities are not passing the full ordinance. Zolbrod explained many cities end at Section 7, paragraph 4 which states they (commission) found someone was being discriminated against. “It stops right there” Zolbrod added. He stated they would then use the judicial system already in place and this is where he wants to see this ordinance go. Zolbrod reiterated on some of the previous comments during this discussion. He said he would like to see this ordinance pass in some capacity. Zolbrod thanked everyone who spoke this evening.

GEYER:

Geyer thanked everyone for coming this evening. He stated it was nice to see the town come together in an orderly manner. Geyer noted his concerns are similar to Zolbrod’s. He pointed out that City Council did not legislate the Community Center back to life and he is unsure that they can legislate equality. Geyer noted education is a key to the ordinance and he is concerned where the City’s liabilities are going to be. He added the City has trouble filling the present Boards and Commissions. He stated he is aware there are qualifications for the Commission and training involved noting both are difficult. Geyer further stated it may be difficult to get them to be active enough to get them to do what they are trained to do. Geyer thanked everyone for coming out and bringing their different views into light.

MAYOR LINCOLN:

Lincoln thanked everyone for the very peaceful meeting and Ted Martin for coming in from Harrisburg. He stated he feels the sole discretion on the commission is that City Council has the final say on what happens if they rule one way – City Council would have the final say. Lincoln stated the ordinance does need to be worked on. He further stated he would like everyone to know that the City welcomes anyone to come to the City to live or have a business. Lincoln stated we have a great community here. He then thanked Council for being there and Councilman Karpiak bringing up having the meeting. Lincoln stated after Karpiak and Ritch speak, they will take questions and Mr. Martin would help answer the questions.

KARPIAK:

Karpiak thanked everyone who spoke this evening. He said he was happy to see this in an open forum where they are not doing something in the dark. Karpiak reiterated on Mr. Martins comment that he has seen the City grow since he was last in Connellsville. He noted the City has grown and progressed without this ordinance in place. Karpiak stated he does not agree with the premise of this ordinance. He stated he doesn’t believe you will be discriminated against in Connellsville because we have lived in harmony for years. He added there haven’t been riots due to race in the City. Karpiak added he wants to put the ordinance on the road where we will be living with it on a day to day basis. Karpiak stated he sees a lot of bad in the ordinance and feels it will divide Connellsville rather than put it together and one problem is the commission. He then stated he, Councilman Zolbrod and Mayor Lincoln took an Oath a few month ago to abide by the Constitution of the United States and the Constitution of Pennsylvania and everything is covered in that. Karpiak noted it is true that the gay, lesbian and homosexual items are not covered. He added that presents its own problem with this

ordinance because “we are to abide by the Human Relations Act and that is not in the act.” He stated in the House it is Bill 300 where they are taking this up in the Senate. Karpiak stated “This is not a small town piece of legislation.” He added if the City is going to go by the rules of the Human Rights set for us then the trans-sexual and homo-sexual are not even covered in the one now. “We would be putting together a commission to make up the rules as they go” Karpiak stated. He added that alone is bad. Karpiak stated this ordinance would not be free and we are a town struggling financially. He noted the City has raised taxes and cut corners to balance the budget. He added the commission would need a solicitor and that is at least \$250.00 and then the cost of advertising. Karpiak stated the expanded workload would cost. “It could be 430 days or drug out a year after that”, Karpiak stated. He added the only thing that could happen is they could say, “I think he is guilty, you should take him to court.” Karpiak stated this is a lot to go through when you should just go to court in the first place. He stated in a perfect world we should not have to go through this. Karpiak stated this ordinance could also be abused. He informed the audience he is voting no on this ordinance.

RITCH:

Ritch thanked everyone for attending, speaking and genuine debate. He noted we may not always agree, “But, when we walk out of here we can agree to disagree.” Ritch stated he heard some statements tonight that he may not like but will respect you. He stated “That is the premise I would like to leave you with tonight.” Ritch thanked the police for being present this evening. He also thanked Gary Barker, the Building Manager and Michelle who both work at the Community Center and are part of the great vision that has helped turn the Community Center around. Ritch stated he spent his entire life defending and supporting the Constitution and signed a blank check to the American people stating he would give his life to make sure that everyone has the same rights as he does. He said he treats people the way he expects to be treated, with respect. Ritch stated “I take people for who they are, not what they are, content of their character.” He stated he doesn’t care what religion people are, what nationality, what sexual orientation or what political party. Ritch noted he did a lot of research on this ordinance. He added he is glad that the 13th Amendment was passed in order that no man or woman should be in servitude in this County. He stated while reading through this ordinance, a few things stood out. A few of the things he mentioned were words like police power, persuasion, subpoena, sole discretion and suspension of evidence. Ritch stated he read the Pennsylvania Human Relations Act and it does leave out gender, equity and sexual orientation. He stated he also read House Bill 300 and Senate Bill 300 and the terminology is in both of the bills. Ritch stated this ordinance is stronger than the Human Relations Act. He noted there was a court case he read about that was Hartman vs. Allentown that went to the Commonwealth Court and upheld that the municipalities could do that. Ritch stated like Councilman Zolbrod, he did not find education in the ordinance. He also stated that maybe they can look beyond the ordinance and take the positive items. Ritch stated he is not a big Government expansion type person. He added he has a fear of a commission of seven to fifteen people that has sole discretionary power that not even the President of the United States has. Ritch stated that he wants to continue to look into the commission and possibly eliminate it. He quoted Abraham Lincoln, “If you want to test the true character of an individual, you give them power.” Ritch stated he is willing to sit down and discuss this with anyone.

Mayor Lincoln asked if anyone would like to give a closing remark.

Joe Orszulak stated there is no man made law that supersedes God’s law. He asked that everyone take that home tonight and think about it.

Cheryl Betters Kelly, Connellsville resident. She stated her aunt was not allowed to swim in the Community Center pool years ago because she was black. Kelly also stated her father's band played on the west side and when her uncle went to pick her dad up he was told he wasn't allowed to sit at the bar. She stated Council needs to start somewhere and the City has come a long way. Kelly asked that Council try to work out an ordinance.

Ted Martin spoke next. He thanked everyone for speaking. Martin stated every comment, question or concern can be discussed. He added people will be trained for free on how this ordinance works. Martin told Council they control this ordinance.

Pastor of Otterbein Church spoke next. He urged Council to take caution in the ordinance. He offered to be on the commission should it come to that.

Stupka spoke last. Thanked Council for allowing everyone to speak. He noted even the Constitution has been amended.

Resolution No. 3-1-2014: "That this meeting of City Council does hereby adjourn."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Karpiak, Ritch, Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.