

**Connellsville City Council**  
**MINUTES**  
**SEPTEMBER 17, 2019**

This regular meeting of the Connellsville City Council was held this evening at 6:00 PM at City Hall, Connellsville, PA. 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:** Invocation was led by Chuck Hubble

**REMARKS FROM VISITORS/PUBLIC COMMENTS:** Mayor Lincoln reminded visitors they each have three minutes to speak.

Chuck Hubble discussed motors now being attached to bicycles and riders of them disobeying traffic laws.

Mayor Lincoln asked Chief Hammerle to comment.

Chief Hammerle stated they must obey the traffic laws the same as a vehicle. He noted if they are caught, they will be charged. Chief Hammerle stated as far as a license, they do not have to obtain anything, however, the State should look further into this.

Peter Jandura spoke of more crime, needles, drugs, prostitution, blight, and other issues he felt there were more of including gang activity. He added there has been three drive-by shootings in town. He also stated he feels it is the Mayors job to fix these issues, or at least try. Jandura asked "How is it legal for the City to purchase a lot with tax payer's monies in the amount of \$150,000 then sell it for \$15,000 to Mr. Cellurale?" He then announced if this is deleted from channel 20 and YouTube, "You will be violating my right to free speech." Jandura questioned why Brandi Bee hasn't been charged with a felony for painting a PennDOT property without permission from PennDOT. He added council gave her permission to do it and without PennDOT approval which is a felony. He then asked the Mayor to resign.

Marigrace Butela, former resident of the City discussed the Cell Tower in the City. She questioned if research was done, the building permit, why a light was not on it, how much money does the City get from the tower and informed Council lawsuits may come and that Council made a bad decision.

Councilman Karpiak reminded Butela that Council had already answered her 'that the research was done.' He further stated: the tower will not be high enough to warrant a light so it won't have a light. He further stated the article she handed out is from a company he knows nothing about and outdated.

Tom Currey, Code Officer, answered the building permit was done according to regulations.

Mayor Lincoln stated Council had public meetings and not one person came to the meetings and no one said anything, released all of this information on Facebook, YouTube and the information is on Connellsville.us and has been there for a year, the City gets \$900 a month and if another cell company adds to it the City will get additional funds, he noted it was put on a dead lot that can't be used, it is not around any homes and the height of it is at the point where the radiation dissipates before it hits the ground and they wanted to put it in the parking lot by the library and Council said no.

Councilman Keedy stated the article she passed out is from 2008 and a lot has changed, noted that Council would not throw up a radiation cell tower up in the middle of the City that would infect our residents without doing our homework first, there are also links to cancer from using your cell phone every day and noted the studies state they are safe which is why Council made the decision to put the tower up.

Mayor Lincoln then called on Daniel Wiltrout.

Daniel Wiltrout, requested Johnston Avenue be paved and discussed the sidewalks. He presented City Council with a petition to have the sidewalks redone.

Mayor Lincoln stated sidewalks are the responsibility of the homeowners.

Councilman Karpiak stated if anyone has a problem with the streets, to call City Hall and get my phone number. He added he returns every call her gets.

**CITY TREASURER'S REPORT:** Absent

**CITY CONTROLLER'S REPORT:** Presented by Controller Bruce Witt

**CORRESPONDENCE:**

Lou Ann Lauffer, Catholic Community of Connellsville, Street closure request for festival

**Resolution No. 9-1-2019:** "To close the alley from Prospect Street to Cottage Avenue on Saturday, October 12, 2019 from 8 AM until 5 PM for Immaculate Conception's Anniversary Car / Vendor show; pending review and approval of Police Chief and 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.

New Haven Hose, Halloween Parade, Street closure request

**Resolution No. 9-2-2019:** "To close South Pittsburgh Street from Green Street to Crawford Avenue; West Crawford Avenue from Pittsburgh Street to Eighth Street and South Seventh Street from Crawford to Leisenring on October 29, 2019 at 6 PM for the annual Halloween Parade; pending review and approval of Police Chief, Fire Chief and PennDOT."

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.

Chamber of Commerce, Christmas Parade, Street closure request

**Resolution No. 9-3-2019:** "To close North Pittsburgh Street from 119 to West Crawford Avenue, West Crawford Avenue from North Pittsburgh Street to Eighth Street, Leisenring and Marietta for the Chamber of Commerce's Annual Christmas Parade on December 7, 2019 at 10:45 AM until 12 Noon; pending review and approval of Police Chief, Fire Chief and PennDOT."

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.

Roger and Linda Suter, Roger Suter and Sons, Inc., Christmas wreaths on Officer McCray Robb Bridge during the Christmas season

**Resolution No. 9-4-2019:** "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 Topper, Tzan, Karpiak and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Connellsville Area Ministerial Association and the Churches of Connellsville, Veteran's Plaza request

**Resolution No. 9-5-2019:** "To permit the Connellsville Area Ministerial Association and the Churches of Connellsville to use Veteran's Plaza on Saturday, October 12, 2019 from 9 AM until 12 Noon for PrayConnellsville."

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. 9-6-2019:** "To approve the minutes from the August 20, 2019 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. 9-7-2019:** "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.

City Clerk's 2020 MMO City Pension Report presented to Mayor and City Council

**MAYOR LINCOLN:**

Police Department Report, presented by William Hammerle, Police Chief

Mayor Lincoln requested a breakdown of drug related arrests.

Chief Hammerle stated he will have that (drug related arrest breakdown) ready for him at the next Council Meeting. He added the City is "winning the battle in the City with drugs." Chief Hammerle continued with answering Mayor Lincoln's questions of different activity's the police have dealt with.

**Proclamation:** Rose Mariotti's 100th Birthday

Mayor Lincoln announced that on the City's website, there will soon be access to all the City ordinances.

**Resolution No. 9-8-2019:** "To adopt Bill No. 2, of 2019, Ordinance No. 1540, AN ORDINANCE of the City Council of the City of Connellsville, Fayette County, Pennsylvania: TO APPROVE, ADOPT, AND ENACT AN ORDINANCE CODIFICATION FOR THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA; TO ADOPT ORDINANCE PROVISIONS RELATING TO TRAFFIC AND MOTOR VEHICLES AND AMENDING PENALTY AND OTHER ORDINANCE PROVISIONS; TO PROVIDE FOR THE REPEAL OF CERTAIN LEGISLATION NOT INCLUDED THEREIN; AND TO SAVE FROM REPEAL CERTAIN OTHER LEGISLATION NOT INCLUDED THEREIN; WITH SUCH CODIFICATION TO HAVE THE FOLLOWING TABLE OF CONTENTS: CHAPTER 1 ADMINISTRATION AND GOVERNMENT; CHAPTER 2 ANIMAL; CHAPTER 3 BICYCLES; CHAPTER 4 BUILDINGS; CHAPTER 5 CODE ENFORCEMENT; CHAPTER 6 CONDUCT; CHAPTER 7 FIRE PREVENTION AND FIRE PROTECTION; CHAPTER 8 FLOODPLAINS; CHAPTER 9 GRADING AND EXCAVATING; CHAPTER 10 HEALTH AND SAFETY; CHAPTER 11 HOUSING; CHAPTER 12 LIBRARIES; CHAPTER 13 LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS; CHAPTER 14 MOBILE HOMES AND MOBILE HOME PARKS; CHAPTER 15 MOTOR VEHICLES AND TRAFFIC; CHAPTER 16 PARKS AND RECREATION; CHAPTER 17 PLANNED RESIDENTIAL

DEVELOPMENT; CHAPTER 18 SEWERS AND SEWAGE DISPOSAL; CHAPTER 19 SIGNS AND BILLBOARDS; CHAPTER 20 SOLID WASTE; CHAPTER 21 STORMWATER MANAGEMENT; CHAPTER 22 STREETS AND SIDEWALKS; CHAPTER 23 SUBDIVISION AND LAND DEVELOPMENT; CHAPTER 24 TAXATION:SPECIAL; CHAPTER 25 TREES; CHAPTER 26 WATER; CHAPTER 27 ZONING; APPENDICES.”

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. 9-9-2019:** "To approve the agreement with First Energy to abandon the requested section of South Sixth Street and all other items as listed."

Mayor Lincoln stated West Penn requested this because they are expanding their yard. He added they will be taking over the payment of that fire hydrant of \$80 per month. Mayor Lincoln added they will pave a portion of Seventh Street.

City Clerk Ohler stated they purchased the old macaroni factory and need to have access to both properties and the road.

Solicitor Witt stated Council will have to formally adopt an ordinance to vacate that street along with a public hearing. He stated "This just implements the agreement with the understanding that in the event that Council would formally vacate that, then they would be responsible for these items in connection with the list.

Councilman Karpiak stated they have always taken care of the water runoff and controlling that. He added it is nice to lose that fire hydrant off of the City's bill.

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. 9-10-2019:** "To grant the mayor permission to sign off on all PennDOT related documents, for the mural project, on behalf of the city."

Mayor Lincoln stated PennDOT had already given the City permission for the mural to be done. He added the artist was not paid to do this mural. Mayor Lincoln added Council had previously given her permission to paint the mural. He explained the documents are required by PennDOT every year, we sign this agreement, as a resolution – to give the City continued permission to do the art at Yough Park. Mayor Lincoln added what was earlier said about this project is not true and the City would not begin a project without approval. He also stated the agreement is available for the public.

Councilman Karpiak added other municipalities are attempting to obtain what the City has done art wise.

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 there will be one collection day in the City beginning November 1<sup>st</sup> and that is on Tuesdays. He added residents must put their garbage out on Monday nights. Mayor Lincoln stated they are still working out details of the commercial aspect side of the pickup and hopes to have all information ready for the residents by October 1<sup>st</sup>.

Mayor Lincoln discussed the Cobblestone Hotel, on September 12<sup>th</sup>, merged out of bankruptcy. He announced Nate Morgan is the sole owner of the Comfort Inn Hotel. Mayor Lincoln stated there will be a new parking lot agreement, they will have signs in and out of the City and wish to be more community involved. He further added this is revenue for the City.

## REMINDERS:

Recycling: Wards 2 & 4 are on Tuesday, Wards 1 & 3 are on Wednesday  
September 24th & 25th, October 15th, 16th, 29th & 30<sup>th</sup> – Mayor Lincoln added these will be the last recycling days from Advanced Disposal

September 21st, Police Poker Ride, Yough Park, Registration at 9 AM, Ride at 10 AM, \$25,

September 21st, Deck Hockey Tournament, 12th Street Park, Registration at 8 AM, \$150/team

September 26th, Arch Cafe' 80-year celebration, 4 PM, RSVP, 724-628-9117

September 28th, Farmers Flea Market, 8 AM - 1 PM, E Side Fire Station

September 28th, Youghzilla Race, 9 AM start time

September 28th, Wesley Health Center, Free Flu Shots, 9 AM - Noon, 724-626-2610

September 29th, St. John's Chicken Dinner, 12:30 PM until sold out. Adults \$10/under 12 \$5

October 5th, Fall Clean Up – Mayor Lincoln added to have your items out the night before and they will not pick up chemicals, toxins, electronics or tires. He added carpet must be cut up in 3-foot sections.

October 5th, Tangled Up In Brew, 6 PM to 10 PM, Tickets \$20 at City Hall, Atkins, Brillhart, John Fiesta Agency, Meegan Ford and Recreation Board members. Mayor Lincoln Stated Ruvo's and Kickstand will be the food vendors.

Mayor Lincoln announced the money raised goes into the Recreational parks. His examples were the deck hockey and fencing for the dog park. He added the roofing at Yough Park will soon be replaced.

October 5th, New Haven Hose Hoagie Sales

October 20th, Geibel Race from St. Rita's to school, "Gator Fest", 12 noon, Fun for all

Mayor Lincoln addressed the allegations against the property next to the hotel. He stated the property was for sale for over six months with a sign in the front and not one person inquired about the property or made an offer. Mayor Lincoln stated, "Finally, the Cellurale family did make an offer. The Redevelopment Authority received money to purchase that property for the McKenna Foundation. He stated they are the ones who approved the sale of the property to the Cellurale family for \$15,000." Mayor Lincoln further added when someone calls out Michael Edwards for the sale, they are wrong. He explained there is a board of five people to vote. Mayor Lincoln stated that Michael Edwards has nothing but positive work for this town. He then gave an example of how he got private investors to spend their money in the City of Connellsville.

## KEEDY:

Councilman Keedy stated when you go to the west side at lunch, there are always people from the trail eating lunch over there. He stated in one day, he had ten people from the trail come in to eat at his shop.

**Resolution No. 9-11-2019:** "To schedule the Budget Meetings for the following dates: October 8<sup>th</sup> at 5 PM, October 10<sup>th</sup> at 5 PM and October 22<sup>nd</sup> at 5 PM; Meetings to begin at 6 PM in City Council Chambers, City Hall."

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 asked Council to decide if they are going to make a donation to Fayette EMS for 2019.

Councilman Topper stated they have decided to build in the City and keep the jobs in the City. He added the City should support them.

**KARPIAK:**

Public Works Report

Councilman Karpiak stated the Public Works have been doing a lot more paving since the City has extra money now. He added that the Gas and Water Companies are helping with the paving when they need to work on their lines.

Councilman Karpiak notified the public that if anyone wants to get in touch with him to call City Hall and get his cell phone number. He stated he will take all calls.

**TZAN:**

Councilwoman Tzan announced Saturday the Milton Bishop Post 301 has their 100-year Anniversary.

**TOPPER:**

Health/Code Officer Report

New Haven Hose Report presented by Fire Chief, Jeff Layton. He announced there is a Cash Bash on the 28<sup>th</sup> of September. Chief Layton added tickets are \$20 for three numbers and are available at the door.

**Resolution No. 9-12-2019:** "To adopt Bill No. 3 of 2019, Ordinance No. 1541, AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, REQUIRING THE REGISTRATION OF ABANDONED REAL PROPERTY AND VACANT BUILDINGS AND STRUCTURES WITH A NOTARIZED REGISTRATION AND THE PAYMENT OF REGISTRATION FEES; SETTING FORTH DEFINITIONS; PROVIDING FOR THE APPLICABILITY OF THE ORDINANCE; PROVIDING FOR THE DESIGNATION OF LOCAL AGENTS; IMPLEMENTING A DUTY TO AMEND THE REGISTRATION; ESTABLISHING THE FEES FOR REGISTRATION AND APPLICABLE WAIVERS THEREFROM; PROVIDING PROCEDURES FOR APPEALS; PROVIDING THAT DELINQUENT REGISTRATION FEES SHALL BE A LIEN ON SUCH PROPERTY; PROVIDING FOR ANNUAL AND COMPLIANCE INSPECTIONS; SETTING FORTH PROVISIONS REGARDING RIGHTS OF ENTRY INTO SUCH PROPERTY AND REGARDING SEARCH WARRANTS AND NOTICES; PROVIDING PROVISIONS FOR SPECIAL REQUESTED INSPECTIONS AND NOTICES; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE; SETTING FORTH VIOLATIONS AND PENALTIES; PROVIDING FOR COMPLIANCE WITH OTHER CODES; DECLARING THAT THE PROVISIONS OF THIS ORDINANCE ARE NONEXCLUSIVE; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE."

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 paving with a resident.

Mayor Lincoln then discussed the meeting with Councilman Karpiak, PA American Water, City Clerk Ohler and himself and the sewage authority about a possible sell. He added this was for everyone to talk together at the same time. Mayor Lincoln stated they left a packet of information for anyone to view in the public.

Mayor Lincoln then announced a water assistance program that PA American Water Co. has called H2 HELP. He noted this is for low income families.

Mayor Lincoln added when the new sewage plan is done, the new sewage rates will go from \$15.55 per month to \$28.00. He added that will be levied by the sewage authority. Mayor Lincoln added the rates have to go up to re-do the plant no matter who owns it.

**Resolution No. 9-13-2019:** "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.