

**Connellsville City Council MINUTES
DECEMBER 21, 2021**

AT 5:30 PM: PUBLIC HEARING: INTERMUNICIPAL LIQUOR LICENSE TRANSFER, RESTAURANT LIQUOR LICENSE NO. R-14889 INTO THE CITY OF CONNELLSVILLE FROM SOUTH UNION TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA.

**A RESOLUTION OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY,
PENNSYLVANIA, APPROVING THE TRANSFER OF RESTAURANT LIQUOR
LICENSE NO. R-14889 INTO THE CITY OF CONNELLSVILLE FROM SOUTH
UNION TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA**

WHEREAS, Act 141 of 2000 (“the Act”) authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the inter-municipal transfer of the liquor license prior to an applicant’s submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant’s intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the municipality.

NOW, THEREFORE, BE IT RESOLVED, that The Giant Company, LLC, has requested the approval of the City of Connellsville for the proposed transfer of Pennsylvania restaurant liquor license no. R-14889, from Ruby Tuesday, Inc., 101 Matthew Drive, Uniontown, PA 15401 to The Giant Company, LLC for a restaurant facility located at 800 Vanderbilt Road, Connellsville, PA 15425, with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the City of Connellsville has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED that the City of Connellsville approves, by adoption of this Resolution, the proposed inter-municipal transfer of restaurant liquor license no. R-14889 into the City of Connellsville by The Giant Company, LLC and

BE IT FURTHER RESOLVED that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

Duly adopted this ____ day of _____, 2021, by the City of Connellsville, Fayette County, Pennsylvania, in lawful session duly assembled.

Attending this meeting were Mayor Lincoln, Councilmen Karpiak and Keedy.

In the audience were Scott Sheaffer from the Giant Company and Joe Berkebile from Flaherty & O'Hara.

Mr. Berkebile gave a presentation. He stated the Giant Company operates Martins on Vanderbilt Road. He passed the "floor plan" onto City Council to review, explained the procedure for buying and selling alcohol in the store. Mr. Berkebile further explained the only certain registers can be used to sell the alcohol noting they are under video surveillance along with scanning the identification and manually inputting the birthday. He added alcohol sales will not begin until 9 AM and end at 10 PM and buyers will be limited to how much they can purchase on-site and off-site. Mr. Berkebile stated they are required to have seating for at least 30 persons on-site and there will be food available where there is seating.

Mayor Lincoln thanked Giant Company for putting money into the City of Connellsville.

There were no public comments. The meeting adjourned at 5:51 PM.

AT 6 PM: 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:

Brian Higbee, Higbee Insurance spoke first. He stated they have been the City's insurance carrier for 10 years and paid around 1.3 or 1.4 million dollars in claims. He stated he saw on the agenda that they were being replaced and surprised because he was told to have a proposal this evening. He further stated he would like to propose it to City Council. Mr. Higbee asked City Council to consider that insurance is purchased to pay claims and Glatfelter is designed for municipalities. He explained that it may not be a cheap price, but a fair price and someone can always come in and undercut a price. He further explained that they have insured the city through the difficult years when there was a lot of claims. Mr. Higbee asked City Council to consider the entire body of work and what is being done throughout the entire year and not just the cost. He then provided City Council with the proposals and reviewed it with them. Mr. Higbee stated they have a zero deductible with law enforcement and official coverage. He clarified that prices can be cheaper, but what will happen in the year ahead?

Mayor Lincoln stated "Let's just say, hypothetically, that you raised all the deductibles to \$1,000, how would that affect the package total?"

Mr. Higbee answered that it would make it go down significantly.

Mayor Lincoln stated they would like to know both plans compared. He added right now he is under the assumption that they could save \$20,000 or \$30,000.

Councilwoman Tzan noted both plans are not comparable.

Mayor Lincoln agreed that Higbee has zero deductible and questions if the other plans do as well.

Councilman Keedy asked Mr. Higbee what makes him think the other company has higher deductibles.

Mr. Higbee stated he knows what else is out there and he knows very few companies offer zero deductibles on public officials and police professionals.

Councilman Keedy questioned his breakdown for the workers compensation.

Mr. Higbee stated he can provide that to him, noting he only has the lump sum total at hand.

Councilman Keedy questioned if it has the 15% surcharge that is usually on it.

Mr. Higbee answered no.

Councilman Keedy questioned the 20% surcharge in what he recalls to be 2018 and 2020.

Mr. Higbee replied those are the company's ratings done by the insurance company not us. He continued it is called a lost cause factor. He explained if they want to be able to cover you for more years, they need to collect enough premium to cover those claims which is why there is a lost cause multiplier.

Councilman Keedy answered it is .79 and one of the best rates. He further added in another municipality, it is twice that number and they are paying less in worker's compensation than what the City of Connellsville is paying.

Mr. Higbee replied that it has to do with payroll.

Councilman Keedy answered it is very similar payroll.

Mr. Higbee added it also has to do with class codes. He also stated he would like to be able talk through this with Council. He stated he had no communication with Councilman Keedy regarding this.

Councilman Keedy stated in the few months leading up to the budget, there was a lot of questions as to how much the insurance was going to be, anticipating a 5% increase for next year with having a lower mod.

Mr. Higbee stated the workers compensation went down this year by several percent.

Mayor Lincoln questioned if the numbers from Higbee is accurate.

Councilman Keedy explained that both insurances for general liability and workers compensation for next year it will be \$211,000. He then questioned Mr. Higbee how much of that is for workers compensation.

Mr. Higbee stated that he would have to get him that number.

Councilman Keedy questioned Higbee as to when they normally give municipalities insurance quotes when they are starting insurance on January 1.

Mr. Higbee replied it is different and dependent on what they ask for.

Councilman Topper questioned if the city puts out an idea of what they are looking for in things such as deductibles?

Councilman Keedy answered it wasn't putting it out for comparison, it was looking at one municipality that has a much higher claim number and lower premium than ours. He added he wants to see why they are paying more.

Councilman Topper asked again if the city puts out what they are looking for or is this just who has the lower premium and we will get into deductibles later? He asked if the city is comparing apples to apples or just looking at the premium that may have higher deductibles. He also added right now they have a slightly higher premium with lower deductibles.

Councilman Keedy answered there are long steps you have to go by such as loss ratios and other things. He added he could not get that stuff in time in order to do this. He added if Mr. Slavin would speak, he could explain more. Councilman Keedy added they didn't know what Council wanted or was looking for. He questioned Higbee if there are increases in parts of the policy, how much would that affect the insurance?

Mr. Higbee stated he would be glad to run numbers, noting it is not difficult to do. He further added they just need to know when they need something and have communication with the city as to what the city wants.

Councilman Keedy questioned if it would dramatically decrease by \$40,000.

Mr. Higbee replied that it could and is very possible and depends on the deductible.

Councilman Karpiak stated he was part of shopping around for insurance. He added there was no talk about what the desired deductibles were, yet Higbee came back with that in play causing Council to go with it. He answered Councilman Topper's question that when City Council first switched carriers, they did not put out a set of deductibles they wanted to hit.

Councilman Topper stated he feels it would be fair to offer the opportunity for the company that has been providing our insurance for a long time the equal opportunity to come in with the same kind of packet.

Councilman Karpiak agreed.

Councilman Topper stated they deserve to opportunity to know what they are looking for and what the bottom line is. He questioned City Council if they have to decide this tonight.

Solicitor Witt answered the current policy ends the end of this year. He added a policy must be in place by the first of next year.

Councilman Keedy stated with general liability aside where there are deductibles, sticking with the workers comp insurance – no deductibles aside – worker’s comp should be worker’s comp based off of (mod?). He stated that is the important number he needs at this moment – how much is the worker’s comp insurance premium of that \$211,000.

Mr. Higbee stated, “Again, that is a package price and I can get those numbers for you because I do not have them for you now.”

Councilman Keedy stated he would love to know if the mod increases on there.

Councilman Topper questioned if the other packet that was proposed, “Are they the carrier with the other municipality you work at?”

Councilman Keedy answered correct.

Mayor Lincoln questioned Solicitor Witt if this is something an executive session can be done.

Solicitor Witt stated this is not an executive session able item.

Councilman Topper questioned how the decision could be made this evening.

Solicitor Witt answered they should have a special meeting.

Councilman Karpiak added it is typically every three years they look for insurance and maybe they can renew another year.

Solicitor Witt stated under the Sunshine Act they cannot add anything to the agenda. He continued that if Council does not want to accept the motion on the agenda, they will have to have a special meeting.

Mayor Lincoln stated if it is the choice of Council, they could have a special meeting next week.

Solicitor Witt questioned the insurance agents if they had a meeting next week, would that be enough time to get a policy into effect by January 1st.

Mr. Higbee answered that would be enough time for his agency.

Niles Slavin, insurance agent, answered there would be one problem in which he can address.

Councilman Karpiak addressed Mr. Higbee, noting he wants to be fair to him because it is not just insurance that he sells, it is that he is part of the community and out cleaning sidewalks and picking trees. Councilman Karpiak reiterated that he wants to be fair.

Mayor Lincoln called Niles Slavin to speak.

Niles Slavin spoke. He stated he wants to clarify several things that Mr. Higbee spoke about. He stated on page one under Property, they currently have \$1,000 deductible and so do they so it is equal. He stated he feels they will add enhanced coverages that the city does not currently have. Mr. Slavin stated that while Glatfelter has zero deductibles, his company has higher deductibles. He asked Council to keep in mind that over the past five years that if they applied the deductibles on page two to all of the claims that you have had in five years, the city could have saved \$9,300. He added with the package that Higbee brought this evening, his company is saving the city over \$35,000 a year in premiums. He noted over five years that is over \$150,000 in increased premium and the deductible is \$9,000. Mr. Slavin stated the higher deductibles do pay for themselves. He added if Higbee comes in with higher deductibles, that will not make a big change in the program because they are zero across the board. He explained his program can go up to \$50,000 deductible for public officials because of the claims and municipalities that they insure. He discussed the cyber policy noting the current policy only pays for data breaches and they are proposing a complete cyber policy showing they can pay over a million dollars in recovery for cyber, unlike the current policy. He stated the city will pick up a broader policy and saving the city over \$35,000 a year. Mr. Slavin stated the City's current program is a fine one but he feels the city is paying too much for it. He stated he insures over 300 government entities.

Mayor Lincoln questioned Mr. Slavin what he feels is causing the city to currently pay more money.

Mr. Slavin answered that it is just the way the program is based and it is boiler plated, the premiums are set aside for classification with very little flexibility, if any. He added that his plan is flexible and competitive and pay claims. Mr. Slavin stated it is not like the current insurer is going to pay claims that his will not pay. He stated they are an A plus insurance carrier with over a billion dollars in assets. He stated they want to bring in a workers compensation safety program which will save another 5% on workers compensation. He added this could be over \$40,000 in savings a year that he is bringing to the table. Mr. Slavin stated their retention rate is over 95% noting they write a client, pay claims and take care of them.

Councilman Keedy questioned Mr. Slavin about the mod. He stated this year they have a mod of .82 and wanted to know if that is usual for a municipality to have a mod that low.

Mr. Slavin stated that is correct.

Councilman Keedy questioned if it is usual for it to have through AmTrust a 15% surcharge.

Mr. Slavin answered no. He added "There is no reason, in his opinion, and we do not have a workers compensation policy in affect that has a 15% schedule modifier – not lost cause multiplier as Higbee stated – it is a schedule modifier of 15%." He added they have a 20% credit and are picking up a 30% rate difference on workers compensation.

Councilman Keedy questioned if the city sets up a safety committee, instead of the work being done by the city, will it be done by Slavin's company.

Mr. Slavin answered yes, Eric Slavin will set up the committee. He also stated the city will have to do their part, but they will show the city how to do it.

Councilman Keedy questioned Mr. Higbee as to why the city does not have a safety committee now.

Mr. Higbee replied they can provide that.

City Clerk Ohler replied he was told it would be a lot of work.

Mr. Higbee answered it will be a lot of work and employees have to commit to being there, a number of staff from each department, you have to have more of the non-administration, you have to have administration. Some municipalities choose not to do it. He continued with his company provides the safety talks every month.

Mayor Lincoln questioned the 15% surcharge and if it is the carrier that installs that.

Mr. Slavin answered that is the carrier the city is currently with. He added that Mr. Higbee has no control over that.

Mayor Lincoln asked if that is something negotiated or something that has to be accepted.

Mr. Slavin answered it is negotiable but up to the volume you have with the company, the in and outs that you have with the company. He added that is why he went with a different carrier and used their pluses to get the city a better rate. He explained four different parts of the proposal is with different companies. He further explained in order to have a policy ready for January 1, it will be a bigger problem for him because he needs applications filled out and a lot of information that we don't have the luxury of have what Mr. Higbee has now. He explained when Mr. Higbee said the city can renew and there is a penalty if it is cancelled, he stated it is 10% of the unearned premium for cancelation. He clarified that could be \$20,000. He told city council they are here to give service, pricing and coverage.

Councilman Keedy stated he feels they give a substantial savings. He also stated he agrees the city needs to get the current insurer to get the current deductibles with this and see if it does save \$40,000.

Mr. Slavin stated he is basing the savings on, "According the Higbee, he is coming in at \$4,000 more than last year – for your program...so if we are \$33,000 now and you add \$4,000 then we are looking at \$37,000 in savings."

Mayor Lincoln questioned Mr. Higbee about the increase.

Mr. Higbee answered it is due to the claims over the history of the program. He added the past five years, the claims have been good, but over the history if you look at claims paid it has been 93% of every dollar you paid. He added companies have to fund correctly to have the money to pay the claims. He continued if the city pays \$37,000 less, that is \$37,000 less to pay claims and where is that going to come from...he answered it will come from somewhere because it has to.

Councilman Topper stated his issue is that this conversation should have happened in November and not one week to go in the year. He also stated the city did not give their loyal insurance provider enough time to give us what we are looking for.

City Clerk Ohler stated the first year he came on he stated they will keep it in the city and everyone was in agreement. He added three years go by and the same process. Ohler stated 2022 would be the third year of that second three-year term. He stated "Taking it for granted that I thought we were going to go in Ethan was made aware of the workers comp thing...."

Councilman Keedy cut in "It was alarming, it is a 15% surcharge when we have the best mod in the state. If we have a low mod, why penalize us for it."

Councilman Topper stated that he agrees Council's responsibility is to the taxpayers, but to have one day to make a decision.

Councilman Keedy stated he has been asking since the budget in November.

City Clerk Ohler stated he received it yesterday afternoon around 3:30 PM or 4 PM.

Councilman Topper stated they have only ten days to make a decision. He added it sounds like the company with have a history with that knows our history and maybe that is affecting our price and a new company that comes in – and we have taken bids with lower prices before – and it doesn't always work out. He added there is a lot of new acclamation process that goes into it. Councilman Topper stated six or seven months into it they may be questioning things. He stated he wants to make an informed decision for the residents of Connellsville and not based on a twenty-minute conversation.

Councilman Keedy stated he agrees with that.

Mayor Lincoln questioned Solicitor Witt on what Council should do.

Solicitor Witt answered they won't want to take action on that item. H added they will want to have a special meeting.

Councilwoman Tzan questioned if that would change the date of her resignation.

City Clerk Ohler answered no, noting Carol Tiberio will be sworn in tomorrow.

Mr. Slavin stated workers compensation in Pennsylvania is a law. He added all claims are paid the same no matter what company you are with. He stated because of the Cancer Presumption Act, every insurance company got off of volunteer fire departments except for AmTrust, who you are with now.

Mr. Higbee added Cova will as well.

Mr. Slavin stated they will not.

Councilman Topper stated this is some of the things Council needs to be education on.

Solicitor Witt stated council will want to schedule a special meeting and compare apples to apples. He added they need proposals quickly so you have information you need to review before the meeting. He noted they will need to make a decision at that meeting which needs to be next week.

City Clerk Ohler stated they will not have time to review anything.

Councilwoman Tzan stated it will be more than twenty minutes.

Councilman Keedy stated they are faced with this because either way they did not get prices until tonight, even from Higbee. He continued that he wants everyone to understand the whole reason behind this second price was for comparison. He also stated he wants to see a comparison with the deductibles with companies and workers compensation and if there is a 15% surcharge. He stated it is not just dealing with the municipality that he works for that he asked if they have a modification and schedule mod and experience mod and what is there premium. Councilman Keedy stated they are well within the City of Connellsville which he found alarming and which is why he raising this question. He added he understands this is December 21st and knows it is not ideal, but when you ask for quotes and it comes down to this.

Mayor Lincoln questioned if the insurance company is representing any other municipality in Fayette County.

Mr. Slavin answered yes, Connellsville Township for around three years.

Councilman Keedy questioned Higbee if they can get the quotes that they want from him.

Mr. Higbee answered yes and he requests the new company bring their quotes up to what they have with the zero deductible.

Mr. Slavin answered that is not possible. He added that Glatfelter is the only company that he knows of that writes zero deductibles for municipalities.

Solicitor Witt stated Council can discuss a schedule meeting and schedule it. He added that the mayor can call a special meeting at any time and it just needs to be advertised.

Council and Solicitor Witt discussed scheduling the special meeting and advertising dates. Council decided December 28th at 4 PM.

Mayor Lincoln requested both insurance agents have the proposals to City Council by Thursday.

Councilman Keedy stated to Councilman Topper "I don't know if this was directed that way, but when you mentioned it that Niles works for the community that I work for, I just want to say that this has nothing to do with me working in Jeanette or anything. It was "why do we have a 15% surcharge."

Councilman Topper stated that is understandable.

Councilman Keedy stated he is not benefiting at all from this.

Councilman Topper stated it is more that Keedy works with this company and understands them.

Council continued to discuss the insurance.

Councilman Topper questioned Higbee if the city has a higher rate because of the history of claims.

Higbee answered yes it does to an extent. He added that they have to have enough premiums paid in to pay the claims that they think they may have.

Mayor Lincoln announced December 28th at 4 PM there will be a special meeting to make a final decision on the insurance carrier for the next year.

CITY TREASURER'S REPORT:

CITY CONTROLLER'S REPORT: Presented by Bruce Witt.

Mr. Witt thanked everyone who assisted him as controller. Mayor Lincoln and City Council thanked him for his years of service as controller.

Councilman Karpiak thanked Bruce Witt for taking the position seriously.

CORRESPONDENCE: No correspondence

REGULAR AGENDA:

Resolution No. 12-1-2021: "To approve the minutes from the November 16, 2021 City Council Meeting."

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

Mayor Lincoln questioned Solicitor Witt as to why the next resolution is on the agenda.

Solicitor Witt answered this is an internal rule that you have to have it on the agenda in four days before the meeting and anything added after the four days is prohibited unless the rule is waived. He noted it is an additional requirement beyond what the State requires with their 24-hour notification rule for agendas. He also stated it is an additional safety feature that gets waived every meeting. Solicitor Witt explained if there was a meeting where it was not waived, then council could not address an item not on the agenda.

Resolution No. 12-2-2021: "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 Karpiak, Topper, Tzan and Keedy and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

MAYOR LINCOLN:

Police Department

Mayor Lincoln stated at the meeting Chief Hammerle went to in South Connellsville, people came just to thank him for the job the police department is doing there and say they are happy with the decision that South Connellsville has made by allowing the police to take over the coverage there.

Mayor Lincoln discussed the criminal breaking into vehicles. He announced to the community to please lock their vehicle doors and do not leave valuables in your vehicles including guns and cash. He added if you see someone suspicious to dial 911. He added if you see someone with camouflage on to dial 911 because that is what the person breaking into cars is wearing. Mayor Lincoln stressed if you feel in your gut to dial 911, then call 911 without hesitation so the police can check it out and hopefully catch this person. He stressed he wants this individual caught.

Resolution No. 12-3-2021:

Resolution on next page.

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WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the inter-municipal transfer of the liquor license prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding applicant's intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the municipality.

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BE IT FURTHER RESOLVED, that the City of Connellsville has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED that the City of Connellsville approves, by adoption of this Resolution, the proposed inter-municipal transfer of restaurant liquor license no. R-14889 into the City of Connellsville by The Giant Company, LLC and

BE IT FURTHER RESOLVED that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

Duly adopted this 21 day of December 2021, by the City of Connellsville, Fayette County, Pennsylvania, in lawful session duly assembled.

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

Resolution No. 12-4-2021: "To ratify and approve a three-year contract agreement between the City of Connellsville and the United Steelworkers of America Local Union 13836-23, the Administrative Union; contract to begin January 1, 2022 and ending December 31, 2024."

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

Resolution No. 12-5-2021: “To appoint Pam Kuzuck to the Connellsville Senior Citizens Board; term to expire January 2025.”

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

Resolution No. 12-6-2021: “To appoint Paula Johnson to the Connellsville Diversity and Inclusion Board; term to expire January 2026.”

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

Resolution No. 12-7-2021: “To make a donation to the Connellsville Community Center in the amount of \$333.59; Money to be taken from line item 491.545, Refund/Reimbursements of Prior Revenue.”

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

Resolution No. 12-8-2021: “To appoint Ethan Keedy as City of Connellsville delegate to the Southwest Regional Tax Bureau and Marilyn Weaver alternate; terms to expire January 2023.”

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

Resolution No. 12-9-2021: “To schedule the Reorganization Meeting for Monday, January 3, 2022 at 6 PM in City Council Chambers, City Hall.”

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

Resolution No.12-10-2021: “To compensate Vernon Ohler, City Clerk, \$5,000.00 for the disposal and movement of city records from the East Side fire station to the new record room at the Connellsville Public Works Department; Funds to be taken from line item 430.145.”

Mayor Lincoln said the East Side Fire Station will have a new facelift as of January 3rd. He explained part of the process was cleaning out a room that included over a hundred years of records thrown in it. He stated Ohler has spent every Friday since March over there going through records and cleaning it out with mold present. Mayor Lincoln thanked the Public Works guys and Boy Scouts Troops who helped move the records. He stated there will be a new fire hall in 2022 and thanked Vernon, Shelley and Tom Currey.

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

Resolution No. 12-11-2021: "To purchase a new Police Responder 4x4 truck from Davies Ford through the PA Co-Stars Program for the price of \$37,037.00."

Mayor Lincoln stated this is for the Auto Theft Task Force.

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

Resolution No. 12-12-2021: "A RESOLUTION OF THE CITY OF CONNELLSVILLE TO ISSUE A GOVERNMENT OBLIGATION CONTRACT TO FINANCE A SMALL CAPITAL PURCHASE, WHEREAS, City Council of the City of Connellsville, Fayette County, Pennsylvania, hereinafter called the Local Government Unit, proposes to incur nonelectoral debt by the issuance of a government obligation contract to finance the costs of the purchase of a 2021 Ford Police Responder Vehicle;"

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

Resolution No. 12-13-2021: "To grant permission to the Chief of Police and the City Clerk to sign all necessary paperwork for the purchase of a 2021 Police Responder Truck."

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

Resolution No. 12-14-2021: "To authorize the City Clerk to form an employee "Safety Committee" and file all necessary paperwork that applies."

Councilman Topper questioned if the committee fails for meet requirements, will that nullify.

Solicitor Witt answered the city will not then get the benefits.

Mayor Lincoln questioned who they file the paperwork with.

Mr. Higbee answered the State and there should be a monthly meeting.

Mr. Slavin stated someone from each department should be on the committee. He stated each person on the committee must be certified and there must be minutes and each monthly meeting. He added they typically meet during work hours.

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

Resolution No. 12-15-2021: "To authorize and direct preparation of a zoning amendment and Zoning Ordinance relating to the use of property for suboxone or drug treatment facilities and to refer the same to the City and County Planning Commission."

Mayor Lincoln stated he feels the city needs to protect itself from more drug treatment facilities. He noted the current clinic has been a disruption to the downtown area. He stated when the city opens up their new Zoning in January, this will allow wording for the facilities to be put in.

Solicitor Witt explained this lets the public know what council is considering and what will be advertised, put before the Zoning Board and then Council.

Mayor Lincoln stated he would like to see business owners come to the meetings and state what they have been going through with the current clinic.

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

Mayor Lincoln added he is for people being rehabilitated but wants the city to be protected from three or four facilities in the downtown area.

Resolution No. 12-17-2021: "To accept the resignation of Bill Addis from the Connellsville Zoning Board effective January 1, 2022."

Mayor Lincoln stated anyone wanting on the Zoning Board to please submit a letter to the City Clerk.

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

Resolution No. 12-18-2021: "To permit Seth Haggerty to do ride-a-longs with the Connellsville Police Department to further his ongoing training."

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

REMINDERS:

January 1st, 11 AM, Polar Bear Plunge

KEEDY:

Resolution No. 12-19-2021: "To abate and exonerate the City Treasurer from collecting 2021 Real Estate Taxes on a property owned by Connellsville Redevelopment Authority, which shall be exempt from 2021 City Real Estate Taxes, known and located as follows: 403 East Washington Avenue, Parcel ID: 05-12-0015, \$561.65."

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

Resolution No. 12-20-2021:

BILL NO.: 5
INTRODUCED: November 16, 2021
BY: Ethan Keedy
ENACTED: December 21, 2021
ORDINANCE NO.: 1557

AN ORDINANCE

FIXING THE SALARIES PAYABLE BY THE CITY OF CONNELLSVILLE FOR THE VARIOUS POSITIONS ENUMERATED HEREIN FOR THE FISCAL YEAR 2022, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith.

BE IT ORDAINED AND ENACTED by the City Council of the City of Connellsville and it is hereby ordained and enacted by the authority of the same.

SECTION 1. That the amount hereinafter set forth opposite the positions hereinafter enumerated be and the same are hereby fixed as the salaries payable for said positions by the City for the fiscal year 2022 to wit:

Mayor	2500.00
Director of Accounts and Finance	900.00
Director of Public Safety	900.00
Director of Streets & Public Improvements	900.00

Director of Parks & Public Buildings	900.00
City Clerk	62,963.43
Clerk/Secretary	28,018.98
Tax Office Clerk	25,718.68
Tax Office P/T Clerk	17,500.00
City Controller	900.00
City Treasurer	1,220.00
City Tax Collector	8,590.00
Solicitor	19,000.00

POLICE DEPARTMENT

Chief	71,582.55
Captain	69,721.16
Lt. Detective	67,865.97
Sergeants	66,007.72
	66,007.72
	66,007.72
Corporals	64,147.42
	64,147.42
	64,147.42
	64,147.42
Patrolman	61,359.98
	61,359.98
	61,359.98
	61,359.98
	61,359.98
	50,110.58
	50,110.58
Clerk	38,405.21
Building Monitors	22,000.00
Health Officer	21,662.93
Code Officer	29,789.23
Secretary	787.50
Solicitor (Health/Zoning/Planning)	0.00

PUBLIC WORKS – STREET/ROADS/PARKS

Foreman	61,941.87
Painter	56,424.03
Operator/Truck Driver	53,928.36
Operator/Truck Driver	53,928.36
Laborer	52,775.49

Seasonal Workers

10,000.00

ENACTED AND ORDAINED THIS 21st day of December 2021.

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

Resolution No. 12-21-2021:

BILL NO.: 6
INTRODUCED: November 16, 2021
BY: Ethan Keedy
ENACTED: December 21, 2021
ORDINANCE NO.: 1558

AN ORDINANCE

OF THE CITY OF CONNELLSVILLE, COUNTY OF FAYETTE, AND THE COMMONWEALTH OF PENNSYLVANIA, FIXING THE REAL ESTATE TAX RATE AND RESIDENCE TAX RATE FOR ALL CITY PURPOSES FOR THE FISCAL YEAR 2022, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

SECTION 1. That a tax be, and that same is hereby levied on all real property within the City subject to taxation for the City purposes indicated herein for the fiscal year 2022, (pursuant to the computation of Real Estate Tax Levy (pursuant to 11 Pa.C.S.A. § 12531(a)) as attached hereto and labeled "Exhibit A") as follows:

- a.) **FOR LIBRARY PURPOSES:** The sum of 0.2475 mills of each dollar of assessed valuation (\$0.02475 per \$100.00 of assessed valuation).
- b.) **FOR GENERAL PURPOSES:** The sum of 8.0025 mills on each dollar of assessed valuation (\$0.80025 per \$100.00 of assessed valuation).

ENACTED AND ORDAINED THIS 21st day of December 2021.

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

Resolution No. 12-22-2021:

BILL NO.: 7

INTRODUCED: November 16, 2021

BY: ETHAN KEEDY

ENACTED: December 21, 2021

ORDINANCE NO.: 1559

AN ORDINANCE OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, SHOWING THE ESTIMATED RECEIPTS, EXPENDITURES, AND LIABILITIES OF EVERY KIND OF ALL THE FUNDS FOR FISCAL YEAR 2022 WITH THE BALANCE OF UNEXPENDED APPROPRIATIONS AS THE BASIS FOR FIXING THE LEVY AND TAX RATE FOR SAID FISCAL YEAR APPROPRIATING THE VARIOUS AMOUNTS SHOWN AS PROPOSED EXPENDITURES HEREIN FOR THE EXPENSES OF THE CITY FOR SAID FISCAL YEAR FROM THE REVENUE AVAILABLE FOR SAID FISCAL YEAR FOR THE DEPARTMENTS, BUREAUS, AND SPECIFIC PURPOSES SET FORTH HEREIN, AND THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTANT HEREWITH.

ENACTED AND ORDAINED THIS 21st day of December 2021.

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

Resolution No. 12-23-2021:

Be it resolved by the City Council of the City of Connellsville, A Resolution of the City of Connellsville authorizing and approving the transfer of funds received by the City of Connellsville under the American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (SLFRF) to a separate account; amending the 2021 Budget of the City of Connellsville to add and reflect such revenue; authorizing the expenditure of SLFRF for revenue replacement, legal expenses, and administrative expenses; authorizing the transfer and use of interest earned on SLFRF to the General Fund; authorizing the preparation and filing of necessary reports; acknowledging the use of SLFRF; and authorizing related actions.

WHEREAS, the City of Connellsville, Fayette County, Pennsylvania (the "City") is the recipient of certain federal funds known as State and Local Fiscal Recovery Funds ("SLFRF"), which funds were appropriated and distributed as a result of the American Rescue Plan ("ARP"); and

WHEREAS, the amount of SLFRF funds received by the City in the 2021 Calendar and Budget year totaled \$381,519.28 (the "Funds"); and

WHEREAS, the City deposited the Funds into its General Fund at Somerset Trust Company (account number ending 0902) on July 6, 2021, for subsequent transfer and use; and

WHEREAS, the City is subject to certain accounting, reporting, and management requirements relating to the Funds; and

WHEREAS, the City desires to comply with all accounting, reporting, and management requirements relating to the Funds, which will be most efficaciously accomplished with the transfer of all of the Funds into a separate, segregated account; and

WHEREAS, the City has established a separate, segregated account identified as the City of Connellsville Rescue Act Account at Scottdale Bank and Trust (account number ending 7176) for the purpose of holding and managing the Funds; and

WHEREAS, the City desires to amend its Budget for the 2021 Calendar and Budget year to reflect the Funds being received as revenue and to include supplemental appropriations relating to the use of the Funds; and

WHEREAS, the Funds may be used for the purpose of revenue replacement as such use constitutes expenditures for the provision of government services (with the exception of pension deposits, contributions to reserve funds, debt service, and other restrictions) and is a permissible expenditure of the Funds pursuant to the Interim Final Rule, Section II.C (pp. 51-61), § 35.6(d); see also SLFRF FAQs Question 3.8 and Question 9.4, SLFRF Compliance and Reporting Guidance, Part I(B, C); and,

WHEREAS, the Interim Final Rule clarifies that "Sections 602(c)(1)(C) and 603(c)(1)(C) of the Act provide recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety service;" and

WHEREAS, applicable rules and regulations relating to revenue replacement uses note that: "Consistent with the broad latitude provided to recipients to use funds for government services to the extent of reduction in revenue, recipients will be required to submit a description of services provided.

This description may be in narrative or in another form, and recipients are encouraged to report based on their existing budget processes and to minimize administrative burden. For example, a recipient with \$100 in revenue replacement funds available could indicate that \$50 were used for law enforcement operating expenses and \$50 were used for pay-go building of sidewalk infrastructure. As discussed in the Interim Final Rule, these services can include a broad range of services but may not be used directly for pension deposits or debt service;" and

WHEREAS, the Funds may be used for the purpose of legal and other consultation expenses as such use constitutes costs and expenses related to the administration and use of the Funds to support effective management and oversight (including consultation for ensuring compliance with legal, regulatory, and other requirements), is a direct cost pursuant to 2 CFR 200.412-200.415, and is a permissible expenditure of the Funds pursuant to SLFRF Compliance and Reporting Guidance, Part 1(D)(2); see also SLFRF FAQs Question 10.5; NEU SLFRF Award Terms and Conditions, Section 6; and

WHEREAS, the Funds may be used for the purpose of covering a portion of administration personnel salaries and benefits and other overhead costs as such use constitutes costs and expenses related to the administration and use of the Funds, is an indirect cost pursuant to 2 CFR 200.412-200.415, and is a permissible expenditure of the Funds pursuant to SLFRF Compliance and Reporting Guidance, Part 1(D)(2); see also SLFRF FAQs Question 10.2; NEU SLFRF Award Terms and Conditions, Section 6; and

WHEREAS, SLFRF Compliance and Reporting Guidance, Part 1(D)(3) provides and confirms that any interest generated or earned from SLFRF funds is not subject to program restrictions and interest-remission and other requirements; see also SLFRF FAQs Question 10.3; and

WHEREAS, the Funds may not be used for tax offsetting;

WHEREAS, various reports are required to be filed in connection with the Funds and the expenditure and use of the Funds; see Interim Final Rule, Section VIII (pp. 110-112).

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Connellsville that:

1. The City Council hereby ratifies, authorizes, approves, and directs the transfer of the Funds, totaling \$381,519.28, from the General Fund at Somerset Trust Company (account number ending 0902) to the City of Connellsville Rescue Act Account at Scottdale Bank and Trust (account number ending 7176).
2. The City Council hereby directs the City Clerk, City Treasurer, and Director of Accounts and Finance to retain all records relating to (1) the receipt of the Funds in the General Fund at Somerset Trust Company (account number ending 0902); (2) the transfer of the Funds from the General Fund to the City of Connellsville Rescue Act Account on July 30, 2021; and (3) the receipt of the Funds in the City of Connellsville Rescue Act Account at Scottdale Bank and Trust (account number ending 7176).
3. The City Council hereby adopts and implements all federal and state mandatory requirements for the accounting, reporting, management, and use of the Funds, including, without limitation, 2 CFR 200.303 and the requirements described in the Interim Final Rule and the SLFRF Compliance and Reporting Guidance, which federal and state mandatory requirements are incorporated herein by reference.

4. The City Council hereby authorizes and directs the City Clerk, the Director of Accounts and Finance, the City Controller, the City Treasurer, and the City Solicitor to prepare such safeguards as may be advisable or necessary relating to the accounting, reporting, management, and use of the Funds.
5. The City Council hereby revises, amends, and changes the Budget of the City of Connellsville for the 2021 Calendar Year, as adopted, to add and increase the amount for Line Item 352.530/352.53 (Federal Entitlements to Governmental Units) by \$381,519.28 to reflect such additional revenue.
6. The City Council does hereby authorize the supplemental appropriation and expenditure of Funds in the amount of \$379,019.28 as revenue replacement funds used for the provision of government services (with the exception of pension deposits, contributions to reserve funds, or debt service), such amount to be transferred to the General Fund for expenditure (Expenditure Category 6.1). A worksheet showing the calculations for the revenue replacement amount and describing the same is attached hereto and incorporated herein as Exhibit A.
7. The City Council does hereby authorize the supplemental appropriate and expenditure of Funds in the amount of \$2,500.00 to Timothy J. Witt, Esquire, for the provision of legal and other consultation services relating the administration of the Funds, the preparation of the related documents, and the performance of other research and work related thereto, such amount to be transferred to the General Fund for expenditure (Expenditure Category 7.1). An invoice, proposal, quote, or other necessary document describing such consultative work is attached hereto and incorporated herein as Exhibit B.
8. The City Council does hereby authorize the supplemental appropriation and expenditure of Funds for any and all administration and administrative expenses (including a portion of the payroll and benefits of employees corresponding to the time spent on administrative work relating to the Funds and other COVID-19 public health emergency and negative economic impacts), such amount to be transferred to the General Fund for expenditure (Expenditure Category 7.1). This amount, when considered with other administrative costs, constitute an amount of up to ten percent (10%) of the Funds of the other amounts authorized for expenditure by this Resolution.
9. The City Council does hereby authorize the transfer of any interest generated by and in the City of Connellsville Rescue Act Account to the General Fund to be used for General Fund expenditures of the City.
10. The City Council does hereby acknowledge that the aforesaid authorized uses do not constitute tax offsetting, pension deposits, contributions to reserve funds, debt service (including interest or principal), or the satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring in a judicial, administrative, or regulatory proceeding (except if the judgment or settlement required the provision of government services).
11. The City Council does hereby authorize the City Clerk, Director of Accounts and Finance, and City Treasurer to complete and file any and all reports, including, without limitation, Project and Expenditure Reports required to be filed by nonentitlement units of local government (NEUs) on or before April 30, 2022 (for the initial reporting period of the date the City received the Funds through and including March 31, 2022) and on April 30 of each year thereafter, that are required in connection with the administration, use, and expenditure of the Funds.
12. The City Council does hereby authorize and direct all City officials and employees to take such actions as may be necessary to effectuate this Resolution and to take all actions necessary thereto.

13. The City Council hereby resolves that all resolutions, or parts of resolutions, which are inconsistent herewith be and are repealed.
14. The City Council hereby resolves that this Resolution shall be immediately effective.

RESOLVED, ENACTED, AND ADOPTED at a meeting of the City Council of the City of Connellsville, Fayette County, Pennsylvania, held on the 21st day of December 2021.

Councilman Keedy stated this is the American Rescue Plan allowing us to utilize the money for revenue replacement which allows council to spend the money with how they see fit.

Solicitor Witt stated this uses the city's allocation as one of the uses approved under the plan if revenue replacement. He added that if you look at what your revenue in 2019 and compare that with 2020, you had a significant decline in revenue in 2019 to 2020 you can therefore use these funds to supplement your income in the General Fund to recover that lost revenue as a result of COVID. This money can then go into the General Fund and be used for general provision of Government expenses. He also noted there is a short list of what it cannot be used for. He clarified once it is in General Fund, council can designate what it can be used for within the permissible expenses.

Councilman Keedy questioned if council should then transfer the money from the American Rescue Account to the General Fund after they pass this resolution.

Solicitor Witt answered yes. He added if they do not expend more than \$750,000 of federal dollars in a given year, then you are not required to do a single audit. He noted if this is the only money that the City received for 2021 of federal dollars then this would not trigger a single audit as long as it goes in the General Fund within that 2021 calendar year.

Mayor Lincoln questioned when the next batch of the \$380,000 come in.

Solicitor Witt answered June or July. He noted the final regulations have still not come out.

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

TABLED: Resolution: "To approve Varine-Slavin Insurance, of Jeanette, PA as the City's insurance agent for all General Liability, Bonding and Workers Compensation insurances."

Councilman Keedy thanked the Mayor, New Haven Hose and the Police Department for attending the Stuff a Vehicle the first Saturday in December noting it was a huge success for Community Ministries.

KARPIAK:

Public Works Report

Councilman Karpiak stated that when it snows, they will be once again using the odd and even parking sides in the congested areas. He explained that on the even dates of the month, park on the even side of the street so the Public Works can clean the odd side of the street and vice versa.

Resolution No. 12-24-2021: "To purchase a new TYMCO model #435 Street Sweeper, from Golden Equipment through the PA Co-Stars Program for the price of \$179,220.00."

Mayor Lincoln stated he was hoping for a local bank and the City Clerk was not successful in getting that quote.

City Clerk stated it was over the threshold but the city can legally do the tax free.

Solicitor Witt explained there is a process that any time a municipality borrows money, there is a process they must go through in order to authorize that borrowing. He added if it is over the threshold, it is a much lengthier and costlier process to abide by DCED's regulations. The process, he stated, is more complex and takes a long time. He explained you have to prepare an ordinance, file that with the DCED, waiting for the DCED to approve that, the city gets it back and then closes that ordinance. He stated the financed amount is \$125,000 and questioned if the down payment would bring the financed amount would be under that.

City Clerk Ohler answered yes, they can do that.

Solicitor Witt stated they will need a resolution like they did on the last one.

City Clerk Ohler questioned if they can do that resolution on the 28th.

Solicitor Witt answered yes.

Mayor Lincoln stated he would like to give Scottdale Bank the opportunity to finance this.

City Clerk Ohler stated if they could come back to what they originally talked about.

Solicitor Witt stated he would not recommend signing any purchase documents until the resolution for the financing is approved.

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

TABLED: Resolution: "To approve financing through 911 Leasing, for the purchase of a TYMCO Street Sweeper Model 435; Payments will be made from the Liquid Fuels Account."

Resolution No. 12-25-2021: "To grant permission to the City Clerk to sign all necessary paperwork for the purchase of a TYMCO Model 435 Street Sweeper."

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

Councilman Karpiak stated this is his official last Council Meeting, he has been sitting in the same chair for twelve years and enjoyed all of it. He added he has seen some tough times in Connellsville and seen some good times. He noted seeing the councils turn from in the red to in the black has been remarkable. Councilman Karpiak stated he has seen growth in so many places. He stated what really caught his attention was the people during the flood and how it was amazing how people came together. He stated he enjoyed being part of that. He added the horror stories you hear about being on council and that if you are trying to do the right thing, it is just not that tough. Councilman Karpiak added the it is when you ignore people, adding the girls in the office have a standing order to give his cell phone number out to anyone that calls and I have taken all their calls. He continued "With that being said and Melissa moving up to the County, I have interest in doing your final two years here if council would see fit and I would enjoy that as well."

Mayor Lincoln stated he appreciates his twelve years of service and being a veteran there. He added it is a lot of stress and beating of the ears they get. He thanked Councilman Karpiak for not just showing up at the meetings, but participating in the city. He also stated he feels that is what council will do in January since it will be experience versus not. Mayor Lincoln thanked Councilman Karpiak for wanting to continue on council.

TZAN:

Councilwoman Tzan stated she is glad she has been able to serve on council and they have all gotten along very well. She added she is sad but plans on going back to her roots on the Recreation Board.

TOPPER:

Health/Code Officer Report

Resolution No. 12-26-2021:

BILL NO.:	8
INTRODUCED:	November 16, 2021
BY:	Robert Topper, Jr.
ENACTED:	December 21, 2021
ORDINANCE NO.:	1560

CITY OF CONNELLSVILLE
FAYETTE COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, DEFINING PUBLIC NUISANCES FOR STRUCTURES AND PROPERTIES; PROVIDING FOR THE REPORTING AND INVESTIGATION OF PUBLIC NUISANCES; PROVIDING FOR SUMMARY ABATEMENT AND ABATEMENT BY PRIOR NOTICE OF PUBLIC NUISANCE; PROVIDING FOR STATEMENTS OF COSTS, ADMINISTRATIVE FEES, AND CIVIL PENALTIES FOR ABATEMENT OF PUBLIC NUISANCES; ENABLING LIENS AND ESTABLISHING OWNER PERSONAL LIABILITY; PROVIDING PROCEDURES FOR NOTICE AND APPEAL OF PUBLIC NUISANCE ACTIONS AND STATEMENTS OF COST; REPEALING ALL INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Third-Class City Code, 11 Pa.C.S.A. § 141A04, empowers the City to enact a property maintenance code, and in accordance with such power, the City has adopted a property maintenance code; and

WHEREAS, the Third Class City Code, 11 Pa.C.S.A. § 141A03, provides that a structure or property erected, altered, extended, reconstructed, removed or maintained contrary to a provision of certain ordinances, including a property maintenance code ordinance, enacted for a purpose specified in Chapter 141A of the Third Class City Code, may be reported in accordance with Chapter 127A (relating to nuisance abatement) of the Third Class City Code, to the department designated to determine whether a public nuisance exists;

WHEREAS, the Third-Class City Code, 11 Pa.C.S.A. § 141A03, provides that if a public nuisance is determined to exist, the public nuisance may be abated in accordance with Chapter 127A of the Third-Class City Code);

WHEREAS, the Third-Class City Code, 11 Pa.C.S.A. § 12320, et seq., and § 127A01, et seq., provides for the investigation, determination, and abatement, including summary abatement, of public nuisances; and

WHEREAS, the Third-Class City Code, 11 P.S. § 12435, affords the City of Connellsville with the power to enact ordinances that are “(1) [e]xpedient or necessary for the proper management, care and control of the city and its finances and the maintenance of the peace, good government, safety and welfare of the city and its trade, commerce and manufactures; or (2) [n]ecessary to the exercise of the powers and authority of local self-government in municipal affairs.”

BE IT ENACTED AND ORDAINED by the City Council of the City of Connellsville, Fayette County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

Section 1. Short Title. This Ordinance may be cited as the City of Connellsville “Nuisance Abatement Ordinance.”

Section 2. Purpose. The Third-Class City Code requires an ordinance to effectuate and implement its public nuisance investigation, determination, and abatement provisions. Furthermore, nuisance properties present grave health, safety, welfare, and financial concerns, where the persons responsible for such properties have failed to take corrective action to abate the nuisance condition. Nuisance properties have a tremendous negative impact upon the quality of life, safety, and health of the neighborhoods where they are located. This Ordinance is enacted to supplement and further define, effectuate, and implement portions of the Third-Class City Code relating to the investigation, determination, and abatement of public nuisances, including, without limitation, 11 Pa.C.S.A. § 127A01, et seq., in order to ameliorate those conditions which exist on nuisance properties, and hold accountable the property owners of nuisance properties for those conditions.

Section 3. Definitions. When used in this Ordinance, the following terms, words, and phrases shall have the following meanings unless the context clearly indicates otherwise or unless such definition is superseded by any definition contained in Chapter 127 of the Third-Class City Code, 11 Pa.C.S.A. § 127A01, et seq. (which superseding definitions shall be incorporated herein by reference).

“**Abatement**” shall mean the removal, stoppage or destruction by any reasonable means of the cause or constitution of a public nuisance.

“**Department**” shall mean the City Board of Health (or the City Council acting as a Board of Health pursuant to 11 Pa.C.S.A. § 12301), the City Engineer, and the City Code Enforcement Office, acting in cooperation with each other, or any other City department(s) designated by resolution of City Council to determine the existence of and to abate a public nuisance in accordance with this Ordinance.

“**Owner**” shall mean, with regard to the property on which the alleged public nuisance exists, the owner of record, based upon the city's real estate registry if the city maintains a registry or, if the city does not maintain a real estate registry on the tax assessment records of the city or of the county in which the city is located. The term may include any person in whom is vested all or any part of the legal or equitable title to the property or who has charge, care or control of the property as agent, executor, administrator, assignee, receiver, trustee, guardian, lessee or mortgagee in possession.

“**Property**” shall mean personal property or real property and any improvements to real property.

“**Public nuisance**” shall mean any of the following:

(1) Conduct or property, or the condition or use of property, defined or declared to be a public nuisance under any provision of this Ordinance or other law.

(2) Conduct or property, or the condition or use of property, if the department determines that it endangers the health or safety of, or causes hurt, harm, inconvenience, discomfort, damage or injury to, a person or property in the City by reason of the conduct or property or the condition or use of the property, being any of the following:

- (I) A menace, threat or hazard to the general health and safety of the community.
- (ii) A fire hazard.
- (iii) A building or structure that is unsafe for occupancy or use.
- (iv) Property that is so inadequately or insufficiently maintained that it diminishes or depreciates the enjoyment and use of other property in its immediate vicinity to the extent that it is harmful to the community in which the property is situated.

(3) Unauthorized accumulations of garbage and rubbish and the unauthorized storage of abandoned or junked automobiles or other vehicles on private or public property, and the carrying on of any offensive manufacture or business.

“Summary abatement” shall mean abatement of a public nuisance by the City without prior notice to the owner of the property in accordance with the Third-Class City Code and this Ordinance.

Section 4. Report and Investigation of Public Nuisance. In conjunction with the Third-Class City Code, the City Code Enforcement Office, and the City Engineer may receive reports of a possible nuisance. Reports may be submitted by a member of the public, City employee, or elected or appointed City official or result from inspections made by the department.

(A) Criteria. Any violation of the City property maintenance code, building code, or other ordinance relating to the health and welfare of residents and property in the City may constitute and be determined to be a public nuisance following investigation of said reports. The City may establish additional written policies or criteria for investigating said reports made for the purpose of determining the existence of a public nuisance.

(B) Notification. If the department, either as a result of a report or an investigation, reasonably believes the reported property involves a building that appears to be structurally unsafe, the department shall notify the City's building inspector or other appropriate official who shall cause the property to be inspected, subject to constitutional standards in a similar manner as those relating to powers of the City Board of Health and submit a written report to the department.

(C) Determination. Upon completing its investigation and receiving any written reports required under this section, the department shall determine all of the following:

- (1) If a public nuisance exists.
- (2) If the public nuisance is of such a severe and substantial nature that it presents a clear, immediate and substantial danger to public health or safety or to the health or safety of any occupant of a property on which a public nuisance exists or of any property in the vicinity of the public nuisance that it is sufficient to justify extraordinary and immediate action without prior notice to the owner of the property to avoid personal injury, death or substantial loss of property.

(D) Retention of Records. Following an investigation, the department shall retain a copy of its findings, including any reports and any photographs of the property or condition investigated.

Section 5. Summary Abatement. The City of Connellsville hereby expressly adopts and authorizes the power to utilize summary abatement of public nuisances, pursuant to the procedures set forth in the Third-Class City Code and this Ordinance.

(A) Conditions. In the case of a reported public nuisance, the department shall have authority to utilize summary abatement if all of the following occur:

- (1) The department determines the existence of the criteria provided in section 4 herein or in accordance therewith.
- (2) The mayor or the mayor's designee provides express authorization to utilize summary abatement.

(B) Notice Not Required. If summary abatement is implemented pursuant to this section, the department, including the authorized City Public Works Department, the City Redevelopment Authority, or any contractor of the City, shall have the authority to enter upon the property for the purpose of abatement without prior notice to the owner of the property or to the holders of liens on the property.

(C) Procedure. The following shall apply:

- (1) Within 10 days following a summary abatement, the department shall post on the property upon which the abatement has occurred a notice describing the action taken to abate the nuisance.
- (2) Within 20 days following a summary abatement, the department shall determine the identity of the owner of the property by reference to the City's real estate registry if the City maintains a registry or, in the absence of a registry, by reference to county assessment records, and the identity of the

holders of all liens upon the property which are properly indexed among the records of the county and provide to the owner and to all lienholders written notice, by first class mail or hand delivery, of the action taken to abate the nuisance.

- (3) Within 30 days following a summary abatement, the department shall file with the City Treasurer or other financial officer of the City designated by City Council a statement of costs of the abatement, which shall include the administrative fee and civil penalty provided by Chapter 127A of the Third-Class City Code. After filing with the City Treasurer, notice of the statement of costs shall be provided to the owner and lienholders in accordance with Chapter 127A of the Third-Class City Code.

Section 6. Prior Notice of Abatement; Abatement by Owner. The department shall have the authority to abate a public nuisance with prior notice as provided by this section if, after inspecting the property or condition reported to be a public nuisance, subject to constitutional standards in a similar manner as those relating to powers of the City Board of Health, the department determines, as provided for in section 4 herein, that the public nuisance exists.

(A) Method of notice.

- (1) If the department proceeds with abatement pursuant to this section, it shall identify the owner of the property by reference to the City's real estate registry if the City maintains a registry or, in the absence of a registry, by reference to county assessment records and shall immediately serve a written notice on the owner by any of the following methods:
 - (i) Personal service.
 - (ii) Leaving a copy of the notice at the place of residence or business of the owner or the address of the owner shown in the City's real estate registry or in the records in the office of the recorder of deeds.
 - (iii) Mailing a copy by United States certified mail, return receipt requested, to the owner at the owner's current address shown in the City's real estate registry or in the records in the office of the recorder of deeds.
- (2) If service of the written notice is unable to be perfected by any of the methods under paragraph (1), the department shall publish a copy of the notice in a newspaper of general circulation once a week for two consecutive weeks and shall provide a copy of the notice to the individual in possession of the property on which the department has determined that the public nuisance exists, or, if there is no individual in possession of the property, the department shall post a copy of the notice at the structure, location or premises.

- (3) The department shall determine from the records in the offices of the recorder of deeds the identities of all lienholders of the property and serve a written notice on all lienholders by United States certified mail, return receipt requested.

(B) Contents of Notice. The notice to the owner and lienholders shall state clearly and concisely the findings and determination of the department with respect to the existence of a public nuisance. The notice shall further state that the public nuisance shall be abated by the City at the expense of the owner unless it is otherwise abated within 30 days of the notice or within any extension of that period granted by the department.

(C) Duty of Owner. Within 30 days after written notice has been provided pursuant to this section, the owner shall remove and abate the nuisance.

(D) Liability. A person who is the owner of the premises, location, or structure at the time a notice to abate a public nuisance is issued and served upon the person shall be responsible for complying with the notice and shall be liable for any costs incurred by the City in connection with the notice, notwithstanding if the person conveyed the person's interest in the property to another after the notice was issued and served.

(E) Defense. It shall not be a defense to the determination that a public nuisance exists that the property is boarded up or otherwise enclosed.

Section 7. Appeal After Notice and Hearing. An owner of the property who has been served with a notice pursuant to section 6 herein shall have the right of appeal and may request and have a timely hearing on the question of whether a public nuisance as described in such notice, in fact, exists. All such appeals must be in writing, signed, and be received by the City within 30 days of the date of such notice and shall contain the mailing address of such owner sufficient for purposes of providing any legal notice. Appeal hearings shall be scheduled and heard in a timely manner. City Council, or a committee of three council members appointed by City Council, shall constitute the public nuisance appeals board which, if an appeal is taken, shall conduct the hearing on the question of whether a public nuisance as described in such notice, in fact, exists. The appeals board may uphold, amend or modify the determination of the department or extend the time for compliance with the department's order if the extension is limited to a specific time period.

Section 8. Abatement By City After Notice; Statement of Costs. If a public nuisance has not been abated at the expiration of 30 days after notice has been provided, or within additional time as the department or appeals board may grant, taking into consideration the provisions of section 7 herein (relating to appeal after notice and hearing), the department, including the authorized City Public Works Department, the City Redevelopment Authority, or any contractor of the City, shall have the authority to enter upon the property for the purpose of abatement.

(A) Abatement Assistance. In abating a public nuisance, the department may call upon any of the City departments or divisions for assistance, as shall be deemed necessary, or may abate the public nuisance by private contract.

(B) Statement of Costs. Upon abatement in accordance with this section, the department shall file with the City Treasurer or other financial officer of the City designated by City Council a statement of costs of the abatement, which shall include the administrative fee and civil penalty provided by the Third-Class City Code and this Ordinance.

(C) Administrative Fee and Civil Penalties. Whenever a public nuisance is abated by the City, the statement of the costs of the public nuisance shall include the City's actual cost of abatement, plus an administrative fee, not to exceed 10%, and a civil penalty. For the first abatement of a public nuisance upon any owner's property within the City in any two-year period, the civil penalty shall be \$250. For second and subsequent abatements upon any properties of any owner within the City during any two-year period, the civil penalty shall be \$500. The increased civil penalty shall be imposed and collected regardless of whether the second and subsequent public nuisances upon property or properties of an owner involve the same property or the public nuisances are of the same or different character.

(D) Salvage of Materials. If deemed practicable by the department, the department may salvage and sell at private or public sale any material derived from an abatement of a public nuisance. Pursuant to this Ordinance, all of the following shall apply to the proceeds obtained from the sale of any material salvaged as a result of an abatement:

- (1) The proceeds shall be deposited into a non-interest-bearing escrow account of the City.
- (2) The proceeds may be applied against the amount of the costs, fees and penalties relating to the abatement.
- (3) If the amount of the proceeds exceeds the amount of the costs, fees and penalties, any excess shall be paid to the owner.

Section 9. Notice of Assessment and Appeal of Charges.

(A) Notice of Assessment. Upon receipt of the statement of costs from the department, either for a summary abatement pursuant to section 5 herein (relating to summary abatement) or for an abatement with notice pursuant to section 6 herein (relating to prior notice of abatement), the City Treasurer or other financial officer of the City designated by council shall, in accordance with the methods of service in section 6 herein, give notice of the amount set forth in the statement of costs to the owner and lienholders of the property upon which the public nuisance has been abated. The notice shall state that the City proposes to assess against the property the amount set forth in the notice and that objections to the proposed assessment must be in writing, signed, and be received by the designated officer within 20 days from the date of mailing the notice and shall contain the mailing address of such owner sufficient for purposes of providing any legal notice.

(B) Lien. Upon the expiration of the 20-day period if no written objections have been received by the designated officer, the total amount of costs, fees and penalties specified in the statement of costs may be entered as a lien against the property on which the nuisance was abated

and shall be collected in the manner provided for the collection of municipal claims and liens, subject to rights of appeal provided in this section.

(C) Administrative Review. If objections of the owner or a lienholder are received by the designated officer prior to the expiration of the 20-day period, the officer shall refer the matter to the department for administrative review. Objection hearings shall be scheduled and heard in a timely manner by the public nuisance appeals board, as described in Section 7 herein.

(D) Final Administrative Decision. The determination of the public nuisance appeals board on any objection or appeal shall be a final administrative decision within the City.

(E) Reduction or Cancellation of Assessment. The department, in administrative review, or the public nuisance appeals board, on objection or appeal, may reduce or cancel a proposed assessment if it is determined that any of the following did not conform to the provisions of Chapter 127A of the Third-Class City Code or this Ordinance:

- (1) The notice to remove the nuisance.
- (2) The work performed in abating the nuisance.
- (3) The computation of charges.

(F) Elimination of Civil Penalty. The department, in administrative review, or the public nuisance appeals board, on appeal, may reduce a proposed assessment by eliminating the civil penalty portion of the statement of costs if any of the following apply:

- (1) The current owner did not own the property at the time the notice required in section 6 herein was posted.
- (2) The owner did not receive the notice to remove the public nuisance, did not have knowledge of the public nuisance and could not, with the exercise of reasonable diligence, have had knowledge of the public nuisance.

Section 10. Personal Liability. Notwithstanding the right of the City to utilize in rem proceedings to pursue collection of the costs, fees, and penalties in the statement of costs as a municipal claim, the person who is the owner of the property at the time of a summary abatement at which the notice required is given, or, in the case of an abatement pursuant to section 6 herein, the person who was the owner of the property at the time notice of the existence of the public nuisance was given, shall be personally liable for the amount of the assessment, including all interest, other charges, and, except as provided in section 9 herein, civil penalties.

Section 11. Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

Section 12. Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this Ordinance is hereby repealed to the extent of any such conflict on the effective date of this Ordinance.

Section 13. Effective Date. This Ordinance shall become effective immediately after its enactment.

This Ordinance is duly **ORDAINED AND ENACTED** by a majority of the members of the City Council of the City of Connellsville at a duly advertised public meeting held on the 21st day of December, 2021.

Councilman Topper explained this supports the Quality-of-Life ordinance that they passed around two months ago.

Solicitor Witt added this allows the City and creates the statutory procedure that if the City is going to abate a nuisance that it will enter a property or demolish a building or move a junked vehicle or clean up trash, this will make sure we are following the right procedure that we are authorized to use in order to do that.

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

Resolution No. 12-27-2021: "To introduce Bill No. 9 of 2021: AN ORDINANCE OF THE CITY OF CONNELLSVILLE, COUNTY OF FAYETTE AND THE COMMONWEALTH OF PENNSYLVANIA, REGARDING ADMINISTRATION AND ENFORCEMENT OF THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE."

BILL NO.: 9

INTRODUCED: DECEMBER 21, 2021

BY: ROBERT TOPPER, JR.

ENACTED:

ORDINANCE NO.:

AN ORDINANCE OF THE CITY OF CONNELLSVILLE, COUNTY OF FAYETTE AND THE COMMONWEALTH OF PENNSYLVANIA, REGARDING ADMINISTRATION AND ENFORCEMENT OF THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE.

WHEREAS, the purpose of this ordinance is to promote the general health, safety and welfare of the citizens of this Municipality and to conform to the requirements of the Pennsylvania Construction Code Act and the regulations to the Act promulgated by the Pennsylvania Department of Labor and Industry (hereinafter sometimes collectively referred to as the "Code"); and

WHEREAS, the Pennsylvania Construction Code Act requires the enactment of an appropriate ordinance by the municipalities electing to administer and enforce the building code provisions of the Code.

NOW THEREFORE, it is hereby enacted and ordained as follows:

1. This municipality hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. Sections 7210.101-7210.1103, as amended from time to time, and its regulations.
2. The Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, is hereby adopted and incorporated herein by reference as the municipal building code of this Municipality.
3. Administration and enforcement of the Code within the Municipality shall be undertaken in any of the following ways as determined by the governing body of this Municipality from time to time by resolution:
 - a. By the designation of an employee of the Municipality to serve as the municipal code official to act on behalf of the Municipality;
 - b. By the retention of one or more construction code officials or third-party agencies to act on behalf of the Municipality;
 - c. By agreement with one or more other municipalities for the joint Administration and enforcement of this Act through an intermunicipal agreement;
 - d. By entering into a contract with another municipality for the administration and enforcement of this Act on behalf of this Municipality;
 - e. By entering into an agreement with the Pennsylvania Department of Labor and Industry for plan review, inspections and enforcement of structures other than one-family or two-family dwelling units and utility and miscellaneous structures.
4. A Board of Appeals shall be established by resolution of the governing body of this Municipality in conformity with the requirements of the relevant provisions of the Code, as amended from time to time, and for the purposes set forth therein. If at any time enforcement and administration is undertaken jointly with one or more other municipalities, said Board of Appeals shall be established by joint action

of the participating municipalities.

5. a. All building code ordinances or portions of ordinances which were adopted by this Municipality on or before July 1, 1999, and which equal or exceed the requirements of the Code shall continue in full force and effect until such time as such provisions fail to equal or exceed the minimum requirements of the Code, as amended from time to time.
 - b. All building code ordinances or portions of ordinances which were in effect as of the effective date of this ordinance and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.
 - c. All relevant ordinances, regulations and policies of this Municipality not governed by the Code shall remain in full force and effect.
6. Fees assessable by the Municipality for the administration and enforcement undertaken pursuant to this ordinance and the Code shall be established by the governing body by resolution from time to time.
 7. This Ordinance shall be effective five days after the date of passage of this Ordinance.
 8. If any section, subsection sentence or clause of this ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

ORDAINED AND ENACTED by the City of Connellsville the _____ day of

Councilman Topper asked Solicitor Witt to explain this ordinance.

Solicitor Witt explained in the state of Pennsylvania, any new construction has to be consistent with the Uniform Construction Code. He added if a local municipality does not have local UCC enforcement it is then done by the state. He stated in the county, they have countywide UCC administration for municipalities who do not have local UCC enforcement. He noted currently, the county takes care of the City's UCC enforcement. This would allow you to elect to do your own UCC enforcement which would enable the city to have more control over that process and offset some of the expenses associated with it which then would go to the city. He added this will change who is in charge of the review as well.

Mayor Lincoln stating the can then approve someone to enforce the UCC at the next meeting.

Solicitor Witt stated this ordinance has to sit for 30 days so it can be done in January.

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

New Haven Hose Report by Lieutenant Addis

Mayor Lincoln thanked New Haven for having the Santa around town event for the kids.

Councilman Topper said he just wrapped up his first four years on council and is happy to serve another four years. He wished everyone a safe holiday.

Resolution No. 12-16-2021: "To accept the resignation of Melissa Tzan from City Council, effective December 22, 2021."

Mayor Lincoln thanked Melissa and noted how they revived the Parks and Recreation Board together. He wished her luck at the county and thanked her for her friendship and service to the city.

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

Mayor Lincoln stated anyone wishing to fill Tzans Council seat to submit a letter of interest to connellsvillegityclerk@gmail.com

Mayor Lincoln wished everyone a safe New Year.

Resolution No. 12-28-2021: "That this meeting of City Council does hereby adjourn."

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