

**Connellsville
City Council Minutes
February 20, 2013**

This regular meeting of the Connellsville City Council was held this evening at 7:00 p.m. in City Council Chambers, Municipal Building, at 110 North Arch Street, Connellsville, PA. Attending this meeting was Mayor Matthews, Council members Karpiak, Geyer Weaver and Ritch. Also attending this meeting was City Clerk Tesauro and Solicitor Witt.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE:

Rev. Hill led invocation.

VISITORS/PUBLIC COMMENTS:

Tom Currey, Planning Commission Report

Scott Felgar, Dr. Paul Dascani, Cecilia Driscoll, Geno Gallo and David Stupka, Urban chicken farming

Aaron Zulbrod, Stating he sees no improvement in the downtown area and zoning concern

Johanna Harden, Duplex in R1 Zoning

Lucille King, Downtown Connellsville

CORRESPONDENCE:

Beverly Oppermann, Garden Club, 2013 Geranium Festival

Resolution No. 2-1-2013: "To close Crawford Avenue between Arch and Pittsburgh Streets on Saturday, May 25, 2013, from 7 AM to 5 PM and Prospect Street to Crawford Avenue and Pittsburgh Street from 9:30 AM until 10:00 AM on May 25, 2013 for Molinaro's Band to march from the IC Church to Lions Square; both pending approval of Police Chief and PennDOT."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

REGULAR AGENDA:

Resolution No. 2-2-2013: "To approve the minutes from the January 16, 2012 City Council Meeting."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 2-3-2013: “To waive the 4-day Resolution Rule to allow for items submitted after the 4-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 Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

MAYOR MATTHEWS:

Police Department Report

Resolution No. 2-4-2013: “To accept the resignation of Wesley A. Wilson retroactive February 2, 2013.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 2-5-2013: “To reappoint Barbara Mongell to the Police Civil Service Board; term to expire the first Monday of 2017.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 2-6-2013: “To reappoint Jodi Enany to the Municipal Authority Board; term to expire the first Monday of 2018.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 2-7-2013: “To appoint Ralph Stinner to the Senior Citizens Board of Directors; term to expire the first Monday of 2018.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 2-8-2013: “FAYETTE COUNTY, PENNSYLVANIA, SETTING RULES FOR COMPLIANCE WITH THE PENNSYLVANIA RIGHT TO KNOW LAW. **UNAN**”

WHEREAS, the City of Connellsville is subject to the Commonwealth of Pennsylvania’s Right To Know Law; and

WHEREAS, public records shall be accessible for inspection and duplication during regular business hours in the medium requested, if said public records exist in the requested medium and if the public records are not exempt and/or privileged pursuant to the Right To Know Law; and

WHEREAS, requests for public records from the City of Connellsville shall be governed by this Resolution and the aforementioned Right To Know Law.

NOW, THEREFORE, be it resolved by the City Council of the City of Connellsville that the following rules regarding public records be and are adopted.

Section 1. Information Request Form.

A requester of records shall complete an information request form provided by the Office of Open Records and/or the City of Connellsville and shall identify the requested records with sufficient specificity.

Section 2. Open Records Officer.

The City of Connellsville hereby designates the City Clerk as the Open Records Officers in accordance with the Pennsylvania Right To Know Law and said Open Records Officers shall receive requests submitted to the City of Connellsville under the Right To Know Law, direct requests to other appropriate persons within the City of Connellsville or to appropriate persons in another agency, track the City of Connellsville's progress in responding to requests, and issue interim and final responses.

In addition, the Chief of Police, or his designee, shall review all written requests for access to records maintained by the City of Connellsville Police Department.

Section 3. Access Requests.

If a requested record contains both public record information as well as non-public record information, the City of Connellsville may redact the non-public record information from the record.

Section 4. Access; Time for Response; Exceptions.

Upon receipt of a written request for access to a public record, the City of Connellsville shall make a good faith effort to respond as promptly as possible under the circumstances existing at the time of the request. The response shall not exceed five (5) business days from the date of the written request. The failure of the City of Connellsville to respond in the designated timeframe shall be deemed a denial of the request unless one of the following exceptions applies:

- (1) The request requires the redaction of information within a public record.
- (2) The request requires the retrieval of the document from a remote location.
- (3) A timely response cannot be accomplished due to legitimate staffing concerns.
- (4) A legal review is necessary.
- (5) Requester did not comply with the City of Connellsville's policies regarding public access.
- (6) The requester refuses to pay fees.
- (7) The extent or nature of the request precludes a response within the required time period.

In the event one or more of the above exceptions applies, the City of Connellsville shall send written notice to the requester within five (5) business days of the request stating the request is being reviewed, the reason for review, the exception that applies, and the estimate of applicable fees owed when the records becomes available. If a response is expected more than thirty (30) days after the five (5) day period, the request is deemed denied unless otherwise agreed to by the requester in writing.

Section 5. Denial of Access.

If the request is denied, the following must be included with the denial:

- (1) Description of the record requested.
- (2) Specific reason(s) for the denial, including a citation of supporting legal authority.
- (3) Typed or printed name, title, business address, business telephone number, and signature of the Open Records Officer on whose authority the denial was issued.
- (4) Date of response.
- (5) Appeal procedure.

Section 6. Appeal Procedure.

If the request is denied or deemed denied, the requester may file an appeal with the Office of Open Records or judicial, legislative, or other appeals officers designated under the Pennsylvania Right To Know Law within fifteen (15) business days of the mailing date of the City of Connellsville's response or deemed denial. The appeal shall proceed in accordance with the Pennsylvania Right To Know Law. The appeal shall state the grounds upon which the requester asserts that the record is a public record and shall address any grounds stated by the City of Connellsville for denying or delaying the request.

Section 7. Fee Schedule.

The fee schedule for information and/or record requests shall be as set forth in the fee structure of the Pennsylvania Office of Open Records pursuant to Section 1307 of the Right To Know Law.

In the event the estimated cost of fulfilling a request submitted under this Resolution exceeds One Hundred Dollars (\$100.00), the City Clerk shall obtain prepayment of such estimate cost in advance of fulfilling the request to avoid unwarranted expense of City resources.

Section 8. Severability.

In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sections, sentences, clauses, or parts of this Resolution, it being the intent of the City Council that the remainder of the Resolution shall remain in full force and effect.

Section 9. Repealer.

All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

REMINDERS:

Conn Area Catholic School presents “Annie”, February 23rd and 24th, Free at 7 PM

ArtWorks, Art of egg decorating with wax, March 2nd, Free

Finley’s Fighter’s Fundraiser, Rivers Casino, March 22nd

Resolution No. 2-9-2013: “To accept the resignations of James K. McIntire, Patty Firestone and Ron Michaux from the Community Center Advisory Board.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver and Ritch and Mayor Matthews. Karpiak voted nay. The majority of the votes being affirmative, the resolution was adopted.

GEYER:

Resolution No. 2-10-2013: “To pay all bills/expenditures for goods/services in excess of \$500.00 as submitted: Glatfelter Insurance Group, \$10,000.00, insurance; Widmer Engineering, \$5,099.93, Storm Water Management and Bridge Inspections.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 2-11-2013: “To reimburse the City of Connellsville General Fund for allowable fire hydrant expenses of \$41,000 from the Act 13 Account; such reimbursement to be allocated as follows: \$24,000 to New Haven Hose, line item 01480-551 and \$17,000 to Street Department tools and equipment, line item 01430-260.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 2-12-2013: “To disburse \$24,000 to New Haven Hose Volunteer Fire Company for the 2012 allocation from the City of Connellsville for fire services.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.

KARPIAK:

Public Works Report

Karpiak welcomed Bill Bukovacs, new Street Department Employee

WEAVER:

Health Department Report

Fire Department Report

New Haven Hose Report

RITCH:

Ritch thanked Patty Firestone, Rev. Michaux and James K. McIntire for serving on the Community Center Board.

CITY TREASURER REPORT: N/A No tax collections were made

Keller discussed "Freedom of Speech".

CITY CONTROLLERS REPORT: not available

Resolution No. 2-13 -2013: "That this meeting of City Council does hereby adjourn."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Council persons Geyer, Weaver, Ritch and Karpiak and Mayor Matthews. The majority of the votes being affirmative, the resolution was adopted.