

CONNELLSVILLE CITY COUNCIL

MINUTES – SEPTEMBER 15, 2020

This regular meeting of the Connellsville City Council was held this evening at 6:00 PM at City Hall, Connellsville, PA. Attending this meeting was Mayor Lincoln, Council members Keedy, Karpiak, Tzan and Topper. Also attending was City Clerk Ohler and Solicitor Witt.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: Led by Pastor Brian Higbee

REMARKS FROM VISITORS/PUBLIC COMMENTS:

Ron Haggerty, General Braddock's Fish Club: Haggerty stated the club has opened and has been using the concession stand at Yough Park. He noted this helps them get their name out and is bringing them money. He further added they took over "Yough Fishermen Club". Haggerty stated they are trying to build their group and make Connellsville a better place and build the City up. He requested permission for Braddock's Fish Club to sponsor the Yough River Rally on June 3rd, 4th and 5th of 2021. Haggerty stated Braddock's Fish Club would bring back the "anything that floats", "fish contests" and the "rubber duck toss and race over the bridge". He added they would like a fishing day for kids incorporated into the event and add concerts, food trucks and maybe local micro-breweries. Haggerty then asked City Council if the club may use Yough Park on those dates, if the Recreation Board could help with the event and if City Council would be able to assist as well.

Mayor Lincoln stated they would need a "Special Occasion Permit" for any alcohol and Insurance for the event.

Ron Haggerty stated they would obtain the permit, if needed, and would add the event onto their insurance. He added they are looking for volunteers to help with the event.

Mayor Lincoln suggested New Haven Hose since they have a boat and would be able to assist with the duck event.

Ron Haggerty stated they are in the process of forming a committee and will have meetings in the next few weeks.

Taween Baker, stated he is present to reach out to small businesses and that he owns a "Stock Car Series." Baker noted he would like to get small businesses to get their name out during breaks. Mr. Baker stated how it works and what it costs. He noted his website: [supercubstockcarseries](#) page.

Mayor Lincoln stated anyone who is interested can look him up on his page and contact him directly.

Chuck Hubble thanked everyone who helped get the property in his neighborhood cleaned up.

Linda Hutchinson, requested a No Parking Sign on Grape Alley so she could have access to her property. She explained the persons parking there would be able to park elsewhere.

City Council discussed the situation with City Clerk Ohler.

Resolution No. 9-16-2020: “To approve and direct the placement of two “No Parking” signs on Grape Alley as requested and approved by the Director of Street.”

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

Cindy Stevenson, Discussed a stray cat solution. She stated she is president of a committee in Mt. Pleasant called the “Cat Committee.” She noted her reason for being at the meeting is to let citizens know that there is a way to address the cat situation humanly, efficiently and cost effectively. Stevenson stated they “trap, neuter and return” the cats.

Mayor Lincoln stated there is an area organization called Animal SNIPPETS.

Stevenson stated they have a Facebook Page called “Cat Committee of Mt. Pleasant”. She further noted they cannot come in and take care of the City’s stray cats. She suggested City Council come up with a few thousand dollars to kick-start the spay, neuter and release process. She also suggested residents look at alleycat.org for information.

Anthony Barbarino, Resident of the 800 block of South Pittsburgh Street discussed how the road where he lives is sunk in. He stated he has contacted the office and spoke with Tom Currey and Vernon Ohler.

Mayor Lincoln suggested that PennDOT meet with Councilman Karpiak and George Kosisko, Street Foreman to resolve this issue.

Councilman Karpiak stated to Barbarino that the City will be a mediator for him to PennDOT because it is a state road. He added that if there is a utility causing the sinking, then the City will go to bat for him with the utility company.

Mayor Lincoln instructed Vernon Ohler to reach out to Rick Martin from PennDOT and have him meet the City at the spot the road is sinking. Mayor Lincoln verified his contact information and stated they will call him with the date.

CITY TREASURER’S REPORT:

Treasurer Weaver stated “It is good having the office closed because we can, not having to deal with people in line. Them sending in checks or dropping them through goes much faster for us.”

CITY CONTROLLER’S REPORT:

Controller Witt stated there was a snag in the General Fund in which they were closing the account and then a check came through. He added that fortunately, a check from the LCB came in the same time

and brought it back up to about \$2,500. Witt further added the bank was giving the run around to Councilman Keedy.

Councilman Keedy added he contacted PNC they couldn't verify his identity and the next day they charged a Service Charge. He stated the City is not paying the Service Charge because they should have verified his identity.

Mayor Lincoln asked if the Liquor Control Board was notified of the new account.

Controller Witt stated they have been trying since March to get ahold of them.

City Clerk Ohler stated he will continue to try and they are working out of home.

CORRESPONDENCE:

New Haven Hose Co., Halloween Parade, October 27th

Mayor Lincoln stated he spoke with Fire Chief Layton about the Halloween Parade, noting it brings in thousands of people into the City and adding "We are in the middle of a pandemic" and "it is a great event and one of the biggest in the City". Mayor Lincoln stated New Haven Hose stated they are looking into the CDC Guidelines and figuring out how they can socially distance. New Haven is asking residents to wear masks. He further added that if you are not comfortable attending, then please do not attend. Mayor Lincoln stated they are still working on details and will release more information soon.

Resolution No. 9-1-2020: "To close South Pittsburgh Street from Green Street to Crawford Avenue; West Crawford Avenue from Pittsburgh Street to Eighth Street and South Seventh Street from Crawford to Leisenring on October 27, 2020 from 6 PM until 9:30 PM for the annual Halloween Parade; pending review and approval of Police Chief, Fire Chief and PennDOT."

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

Payne A.M.E. Church, Election Day Dinner, November 3rd

Resolution No. 9-2-2020: "To allow Payne A.M.E. Church at 812 West Crawford Avenue, reserved parking along West Crawford Avenue, in front of the church on election day, November 3, 2020 for pickup orders for their "Turkey Dinner Fundraiser". This will be from 11 AM until 1 PM, and from 3 PM until 6 PM."

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

Mayor Lincoln stated there will be spots in front of the church so you can pull right in, they will come out with your dinner and you pay them. He added he is happy they are still providing this and their Turkey Dinners are wonderful.

Julissa Arison, Alley closure request, October 24th

Resolution No. 9-3-2020: “To block the alley between the 200 block of West Washington Avenue and Green Street – stretching from South Arch Street to Aetna Street on Saturday, October 24, 2020 beginning 12 PM until 8 PM; pending review and approval of Police Chief and Fire Chief.”

Mayor Lincoln stated he and City Clerk Ohler had a conversation with the home owner, noting all neighbors were invited and aware of the party. He further stated there is a band from 3 PM – 6 PM. Mayor Lincoln added they would like the alley closed for set up and leaving. He stated if the neighbors are aware and there are no complaints, he is fine with it.

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

Suzie Flesik, Crawford School of Terror, Street closure request, September 5th – November 1st

Resolution No. 9-4-2020: “To partially close North Seventh Street from the alley rear of West Crawford Avenue to Meason Avenue on Friday and Saturday nights beginning September 5th through November 1st, 2020; pending review and approval of Police Chief and Fire Chief.”

Mayor Lincoln questioned Tom Currey, Code Officer, concerning the issues the City has with the building. He added he recalls a “guilty verdict” for the repairs not being done. Mayor Lincoln questioned if they are “legally allow to have this?”

Tom Currey, Code Officer, answer “As of right this second, yes.” He further added there is an appeal process in which they have 30 to complete that appeal and then another 30 days before citing them again and then an internal inspection.

Mayor Lincoln questioned when the first 30 days are up.

Tom Currey answered the end of September.

Mayor Lincoln stated they are planning their Grand Opening the 26th...

Tom Currey stated they can open up and then we can shut them down.

Mayor Lincoln stated that they can open up and then that week we shut them down. He questioned if they are fully aware of this process.

Tom Currey answered correct.

Mayor Lincoln questioned what Currey will do if they do not make the repairs.

Tom Currey answered that it is more than the repairs. He added it depends on what the internal structure looks like. He further noted the City needs to be sure the structure is safe. He added there is a subdivision that inspects "haunted houses". He added he has concerns because he has not made the repairs and it has been a long time.

Mayor Lincoln questioned if the utilities are still on.

Tom Currey answered as far as he knows they are all on.

Mayor Lincoln question Tom Currey what is going to happen at the end of the month.

Tom Currey stated he will cite them again and they will be given another 30 days.

Mayor Lincoln stated then they will still be allowed to have their haunt because of the appeals process.

Tom Currey noted City Council does not have to honor this request because of the appeals process. He noted there are on going violations with this property. He again noted that City Council does not have to grant this.

Mayor Lincoln added he wants to ensure the safety of them and the people who attend.

Councilwoman Tzan stated ensuring the safety is on them. Councilwoman Tzan questioned if the City can table the resolution.

Tom Currey stated yes and added that they would miss the beginning of the haunted house dates.

Councilman Karpiak added if it is approved this evening and they don't meet your (code office) criteria, will it be shut down anyway?

Tom Currey answer yes.

Councilman Karpiak stated if they get shut down for not fixing the structures, that is their fault, not the City's.

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

REGULAR AGENDA:

Resolution No. 9-5-2020: “To approve the minutes from the August 18, 2020 City Council Meeting.”

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

Resolution No. 9-6-2020: “To waive the Four-Day Resolution Rule to allow for items submitted after the Four-Day Rule to be read at the meeting tonight, such Resolutions will be marked with an asterisk.”

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

MAYOR LINCOLN:

Police Department Report

Mayor Lincoln said he is hopeful to secure funding through a grant for bullet proof vests for the Police Department. He added they are looking into chest cameras as well. Mayor Lincoln stated he wants to be sure they are all safe.

Resolution No. 9-7-2020: “To accept the resignation of Richard Galasso from the Planning Commission retroactive August 20, 2020.”

Mayor Lincoln announced that if anyone who is a City resident would like to be on the Planning Commission, please email the City Clerk with your interest of being on that board at connellsvillecityclerk@gmail.com . He added Council will review the request and put you on the board if qualified.

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

Resolution No. 9-8-2020: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, ESTABLISHING RULES AND REGULATIONS FOR PUBLIC DOG PARKS.

SECTION 1. DOG PARK RULES AND REGULATIONS.

The following shall constitute the minimum rules and regulations that shall be required for all public dog parks owned or operated by the City of Connellsville. Persons shall be responsible for any dog(s) in his or her custody or that he or she may bring to, permits to enter, or controls at any dog park, regardless of whether he or she is the owner of such dog(s).

1. All dogs must wear an ID tag with proof of current vaccinations as well as owner's name and telephone number. Vaccination requirements shall be as determined by the City.
2. An owner/handler shall have in his/her possession proof of a valid dog license for dog(s).
3. Owners must be within the dog park and supervising their dog(s) with leash readily available.
4. Owners and all other participants use the park at their own risk.
5. Owners are required to clean up after their dog(s).
6. Dog(s) must be leashed when entering or leaving the dog park.
7. Users must close all gates as you enter and exit off leash area.
8. No child under the age of 12 is allowed in the park. Anyone under the age of 16 must be accompanied by an adult.
9. Dogs that are vicious, dangerous, aggressive in behavior, have a communicable disease, or in heat are not allowed in the dog park.
10. Dogs exhibiting aggressive behavior must be removed immediately from the park. Please be courteous of our neighbors and if your dog continuously barks, please remove them.
11. Maximum of 2 dogs per handler.
12. Dog collars must be worn at all times. No pinch, choke or spike collars are allowed in the park.
13. Users must stop dogs from digging, owners must fill hole(s) made by their dogs.
14. Equipment in the dog park is for dogs only (not persons, including children).
15. No strollers, bikes, skateboards, roller blades, etc. inside the dog park.
16. No smoking, alcoholic beverages, glass containers or food are allowed in the park.
17. The park is open from sunrise to sunset.
18. No puppies under 4 months are permitted in the dog park.

SECTION 2. ASSUMPTION OF RISK.

- A) Use of any dog park shall be at the sole risk of the user. Users of any dog park assume all risks for injuries and are liable for damages or claims caused by their dog(s) or related in any way to their use of any dog park.
- B) Users of any dog park are notified of the risks of using a dog park to themselves, other persons, and dogs, including, without limitation, exposure to diseases, infections, parasites, and other illnesses; bites, lacerations, abrasions, cuts, and other injuries; death; and economic damages and injuries. These risks relate to the condition of the equipment, other users of any dog park, and other persons and dogs in any dog park.

SECTION 3. AUTHORITY AND ADDITIONAL REQUIREMENTS.

- A) Rules and regulations will be enforced under PA State Dog Law Statues 3 P.S. § 459-101-1205; 3 P.S. § 501, 531-532, 550-551; 34 Pa.C.S.A. § 2381-2386; 34 Pa.C.S.A. § 2928, 2941-2945.
- B) Users shall be required to follow all other laws and regulations that may be applicable to dogs in any dog park.

SECTION 4. ENFORCEMENT.

- A) The City of Connellsville Police Department, and its officers, and any other person authorized by resolution of City Council, shall enforce this ordinance.
- B) Any user who fails to comply with the above rules and regulations may receive a ticket for the amount of \$25.00. In lieu of such ticket, at the discretion of the person enforcing this ordinance, or upon failure to pay such ticket, in full, within 10 days of the date of issuance, any user who fails to comply with the above rules and regulations shall be subject to summons or citation up to \$1,000.00.
- C) Any user who fails to comply with the above rules and regulations shall be subject to suspension of park privileges.

SECTION 5. SEVERABILITY.

In the event that any provision, section, sentence, clause, or part of this Ordinance is held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the City of Connellsville that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall be effective ten days from the date of enactment by City Council.

ENACTED AND ADOPTED this 15th day of September, 2020.

Mayor Lincoln stated this is to keep everyone and the animals safe who use the park. He stated the cameras should be in any day and will be up immediately. Mayor Lincoln stated there is an Eagle Scout Project to finish installing the obstacle course at the park adding he appreciates Troop 101 for all they do in the City.

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

Resolution No. 9-9-2020: "To request the resignation of Teri Hirko from the Connellsville Housing Authority, due to her no longer residing within the City, and, in the event of her failure or refusal to do so, to hold a public hearing regarding her removal."

Solicitor Witt stated this is to request her resignation as she is no long a resident of the City. He added the correspondence from the Housing Authority is they are facilitating getting the resignation letter and will give it to the City after their board receives it and they accept that resignation.

Mayor Lincoln stated there is great interest in filling her position on that board. He further noted they will have to be sure people are qualified to be on there when reviewing to replace that position.

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

Resolution No. 9-10-2020: “To approve the Deed of Easement requests between the City of Connellsville and the Connellsville Municipal Authority for Parcel ID #05-03-0001; pending approval of City Solicitor and City Clerk.”

City Clerk Ohler stated this is for the Connellsville Municipal Authority upgrades at the Sewage Plant. He added they ran into a road block with boring under the rail road tracks and CSX shut them down and now they need a plan b. Ohler said they need another easement at Mountz Park.

Mayor Lincoln asked if this will go through the ball field again.

City Clerk Ohler answer he does not know because the resolution just came in at the end of the work day.

Councilman Karpiak questioned if there was a line down there that they were going to abandon.

City Clerk Ohler answered there was somewhere in that vicinity.

Solicitor Witt stated Council may want to consider “Pending approval and review and City Solicitor and City Clerk.” He added there are questions that need answered.

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

REMINDERS:

Farmer’s Market, September 19th, 8 AM – 1 PM, beside City Hall

Fayette County Hard to Recycle, Farmington, September 19th, 9 AM – 2 PM

Chamber’s Community Yard Sale, September 19th, call 724-628-5500 for information, 8 AM until done. You may register for the yard sale by placing your address in the mail slot at door of the Chamber of Commerce or on-line at: www.connellsvillechamber.org

Amish Donuts are in the downtown on the 19th from 8 AM until 4 PM

Fall Clean-up is October 3rd in the City. Place items at curb the evening before pick-up

New Haven Hose’s Halloween Parade, Line up starts at 5:30 PM until 6:30 PM and parade starts at 7 PM on October 27th

Trick or Treat, October 31st, 6 PM – 8 PM. Residents who want to participate please turn your light on. Mayor Lincoln added New Haven Hose will be out in their trucks providing light and the Auxiliary Police will be out providing safety.

COUNCILMAN KEEDY:

Resolution No. 9-11-2020: “To advertise and schedule the Budget Meetings for the following dates and times: October 5th and 6th, 2020 at 6 PM, October 12th and 13th, 2020 at 6 PM and October 19th, 2020 at 6 PM; Meetings to be held in City Council Chambers, City Hall.”

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

Resolution No. 9-12-2020: “To pay \$13,143.00 to the Pennsylvania Municipal Retirement System for the 2020 MMO Payment; monies to be taken from line item #483.300.”

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

Resolution No. 9-13-2020: “To pay \$381,967.00 into the Police Pension Plan in order to satisfy the 2020 Minimum Municipal Obligations (MMO), monies to be taken from line item 410.160.”

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

Resolution No. 9-14-2020: “To pay \$90,053.00 into the Fire Pension Plan in order to satisfy the 2020 Minimum Municipal Obligations (MMO), monies to be taken from line item 411.160.”

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

COUNCILMAN KARPIAK:

Public Works Department
Leaf Pick-up Schedule

Councilman Karpiak announced to put your leaves on the curb. He added the workers will not go onto your property.

Resolution No. 9-15-2020: “To approve recommendation of the Traffic Committee to erect a "No Parking Here to Corner" sign at Pearl Street and Willow Street.”

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

COUNCILWOMAN TZAN:

East Park restrooms will close September 30th

Yough Park restrooms will close October 11th

Councilwoman Tzan noted the dates could change should another event be scheduled. She added that as of now, these are the dates scheduled to close the restrooms.

COUNCILMAN TOPPER, JR.

Health/Code Department Report

Fire Department Report – **NOT AVAILABLE**

Councilman Topper announced the Chamber’s annual “Ultimate Pizza Day” will not be held this year. He stated they are working on a “Basket Raffle” that will have gift cards with all the pizza places in this year for \$10 to enter. He added another event is businesses sponsor Community Ministries for \$100 will be entered to win an office pizza party that could bring pizzas from all the different places. Councilman Topper stated this is a good fundraiser for the ministries and they want to be sure they are taken care of.

Mayor Lincoln announced the fire departments will be accepting donations on line and take credit card donations.

Resolution No. 9-17-2020: “That this meeting of City Council does hereby adjourn.”

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