

**Connellsville City Council
MINUTES
AUGUST 20, 2019**

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

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: Led by Rev. Suzanne Zampella

Recognize Jace McClain for his heroic act at the Woodruff Race on July 9, 2019. Mr. McClain, at the race, found Mr. Lint had collapsed. McClain performed CPR on Lint until the medics arrived. Mayor Lincoln announced Judge John Wagner as the head of the John Woodruff Race Committee. Judge Wagner presented McClain with a gift, a signed picture of John Woodruff. Beth Topper Burd also presented with lifetime registration for the John Woodruff Race. Mayor Greg Lincoln presented McClain with a recognition from the City of Connellsville. Mr. Lint then spoke thanking Mr. McClain and announcing McClain truly did save his life. Mayor Lincoln then thanked everyone for coming together and assisting with Mr. Lint. Mr. McClain then thanked everyone for the support and recognition.

Mayor Lincoln then called for a 10-minute recess. All was in favor.

(upon returning, audio was part static).

REMARKS FROM VISITORS/PUBLIC COMMENTS:

Jamie McPoyle announced the Youghzilla Race on September 28, 2019.

CORRESPONDENCE:

Alan Dines, Cross Country Coach at Geibel Catholic High School, Race on October 20th

Resolution No. 8-01-2019: "To permit Geibel Catholic High School to have a Road Race on October 20, 2019 from 12 Noon until 1 PM; course to begin on South First Street onto West Crawford Avenue to East Crawford Avenue to Geibel High School; 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.

CITY TREASURER'S REPORT: Presented by City Treasurer Marilyn Weaver.

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

REGULAR AGENDA:

Resolution No. 8-02-2019: "To approve the minutes from the July 16, 2019 City Council Meeting."

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

Resolution No. 8-03-2019: “To approve the minutes from the August 6, 2019 City Council Meeting.”

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

Resolution No. 8-04-2019: “To waive the Four-Day Resolution Rule to allow for items submitted after the Four-Day Rule to be read at the meeting tonight, such Resolutions will be marked with an asterisk.”

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

MAYOR LINCOLN:

Police Department Report

Mayor Lincoln questioned Chief Hammerle as to why he wrote more tickets than the rest of the force.

Councilman Topper, Jr. questioned Chief Hammerle about tickets.

Chief Hammerle answered an example of an incident of shootings which caused an entire shift to be out going door to door, investigating and filling out all the paperwork. He added this takes the men away from writing tickets and doing what they normally do. Chief Hammerle stated the paperwork each year is getting ridiculous. He notified Council that the County sent a letter to the local Magistrates stating if a person cannot pay a fine, they must wipe that fine out.

Mayor Lincoln questioned Hammerle if Officer Ambrose (police dog) would pick-up a scent in a neighborhood, would the Police Dog Officer be able to search the house. Hammerle answered they must have a justifiable reason to search.

Proclamation: Arch Cafe’ Day, August 29th, 80th Anniversary

Resolution No. 8-05-2019: “To Introduce Bill No. 2, of 2019, AN ORDINANCE of the City Council of the City of Connellsville, Fayette County, Pennsylvania: TO APPROVE, ADOPT, AND ENACT AN ORDINANCE CODIFICATION FOR THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA; TO ADOPT ORDINANCE PROVISIONS RELATING TO TRAFFIC AND MOTOR VEHICLES AND AMENDING PENALTY AND OTHER ORDINANCE PROVISIONS; TO PROVIDE FOR THE REPEAL OF CERTAIN LEGISLATION NOT INCLUDED THEREIN; AND TO SAVE FROM REPEAL CERTAIN OTHER LEGISLATION NOT INCLUDED THEREIN; WITH SUCH CODIFICATION TO HAVE THE FOLLOWING TABLE OF CONTENTS: CHAPTER 1 ADMINISTRATION AND GOVERNMENT; CHAPTER 2 ANIMAL; CHAPTER 3 BICYCLES; CHAPTER 4 BUILDINGS; CHAPTER 5 CODE ENFORCEMENT; CHAPTER 6 CONDUCT; CHAPTER 7 FIRE PREVENTION AND FIRE PROTECTION; CHAPTER 8 FLOODPLAINS; CHAPTER 9 GRADING AND EXCAVATING; CHAPTER 10

HEALTH AND SAFETY; CHAPTER 11 HOUSING; CHAPTER 12 LIBRARIES; CHAPTER 13 LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS; CHAPTER 14 MOBILE HOMES AND MOBILE HOME PARKS; CHAPTER 15 MOTOR VEHICLES AND TRAFFIC; CHAPTER 16 PARKS AND RECREATION; CHAPTER 17 PLANNED RESIDENTIAL DEVELOPMENT; CHAPTER 18 SEWERS AND SEWAGE DISPOSAL; CHAPTER 19 SIGNS AND BILLBOARDS; CHAPTER 20 SOLID WASTE; CHAPTER 21 STORMWATER MANAGEMENT; CHAPTER 22 STREETS AND SIDEWALKS; CHAPTER 23 SUBDIVISION AND LAND DEVELOPMENT; CHAPTER 24 TAXATION:SPECIAL; CHAPTER 25 TREES; CHAPTER 26 WATER; CHAPTER 27 ZONING; APPENDICES.”

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

Resolution No. 8-06-2019: “To approve, adopt, and accept the Police Policy and Procedure Manual, as prepared and presented by the City Chief of Police, effective immediately, to amend the City’s current Police Policy and Procedure Manual and to govern the operations of the City Police Department, as an exercise of the City’s managerial rights, prerogatives, and powers; to order and direct all police officials and employees to follow and adhere to the standards and requirements of such Police Policy and Procedure Manual; and to authorize and direct the City Chief of Police and all other City officials and employees to take such acts as are necessary to implement such Police Policy and Procedure Manual; provided, however, that any term, condition, or provision of such Police Policy and Procedure Manual that conflicts with any term, condition, or provision of any applicable collective bargaining agreement or law or that constitutes an unfair labor practice, shall be void.”

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. 8-07-2019: “To approve the ballot in favor of the Trailside Lodging, LP, Chapter 11 bankruptcy plan, and to authorize the Mayor, City Clerk, and other City officials to execute and cast such ballot on behalf of the City.”

City Council along with Solicitor Witt discussed this resolution. It was noted the parking lot agreement would have to be redone with new ownership.

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. 8-08-2019: “To approved the proposed stipulation and order of Trailside Lodging, LP, including the modification of the parking lot lease; and to authorize the Mayor and City Clerk to execute such stipulation and order documents, and to take such actions to effectuate and implement such stipulation and order.”

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. 8-09-2019: “To appoint Sharon Rendine to fill the vacant position on the Connellsville Municipal Authority; term to expire the first Monday in January 2023.”

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:

Recycling: Wards 2 & 4 are on Tuesday, Wards 1 & 3 are on Wednesday
Collection dates: August 27th & 28th, September 10th, 11th, 24th and 25th

August 24th, September 14th & 28th, Farmers Flea Market, 8 AM - 1 PM, E Side Fire Station

August 24th, Barbeque Party, Benefits Brian Martin Foundation, call Annie at 724-984-0645 to donate picnic item or monetary donation, 1 PM at Yough Park

August 25th, Final Lions Square Summer Concert, Tane Lynne & Shadow Creek, 7 PM - 9 PM

August 28th, Connellsville Area Historical Museum Grand Re-Opening, Carnegie Library 5 PM
Opening of the Time Capsule from South Side Elementary School

August 29th, Arch Cafe' 80 Year Celebration, 7 PM, RSVP 724-628-9117

August 31st, Battle of the Wings, Tickets \$20 at the Chamber of Commerce, 1 PM - 4 PM

September 2nd, City Hall Closed for Labor Day

September 6th, St. Rita's Italian Day, Bucci Hall, 11 AM - 5:30 PM, Italian Food/Bake Sale

September 7th, Food Truck Festival, East Side Fire Hall

September 7th, Wellness on the Yough, 11 AM - 4 PM with kids chalk art & face painting

September 7th, First Annual Chalk Festival, Liz Jones, 724-208-5160

September 7th, New Haven Hose Hoagie Sales

September 7th, Community Yard Sale, Contact the Chamber of Commerce, 724-628-5500

September 14th, Scott C's Cars, Coffee and Christ, 8:30 AM, Coffee and a light breakfast, short message, check out the cars and enjoy vintage video arcade

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

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

September 28th, Youghzilla Race, 9 AM start time

October 5th, Fall Clean Up

October 5th, Tangled Up in Brew, 6 PM to 10 PM

October 5th, Conn Area Fundraiser, Jason Kindell Bank, 5PM-10PM, \$15

KEEDY:

KARPIAK:

Public Works Report

TZAN:

Councilwoman Tzan noted deck hockey is age 30 and up.

Mayor Lincoln added they are hoping to make enough money to buy surveillance camera for the 12th Street Park

Resolution No. 8-10-2019: "To grant permission to the Connellsville Recreation Board to plant a maximum of Three (3) trees at South Side Park; pending review and approval of the City Clerk and Director of Parks and Public Property."

Mayor Lincoln added the City has control over what kind of tree they plant and will plant something they will not have to cut in ten years.

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 then discussed the dog park adding they will come up with a design soon.

TOPPER:

Health/Code Officer Report

New Haven Hose Report

Solicitor Witt then announced the garbage bids that were open on August 6, 2019 were calculated in respect to residential and commercial rates and it was determined that County Hauling was the lowest bidder.

Councilman Topper then announced the bid results:

County Hauling:

Year 1, \$16.25, Year 2, \$16.58, Year 3, \$16.91; totaling \$131,092.23. Commercial is \$63,477.82

Mayor Lincoln announced the current rate is \$11.89.

Councilman Topper, Jr. continued: Greenridge:

Year 1, \$17.16, Year 2, \$17.67, Year 3, \$18.21; totaling \$139,813.03. Commercial is \$95,632.45

Advanced:

Year 1, \$22.84, Year 2 \$23.55, Year 3, \$24.28; totaling \$186,275.76. Commercial is \$67,672.17

Mayor Lincoln stated the City went through extreme measures to not increase rates for residents. He thanked Dave from Advanced Disposal for always helping with the City, adding he was a professional. He also added that glass will no longer be picked up with recycling.

Resolution No. 8-11-2019: “To accept the bid of Westmoreland Sanitary Landfill, LLC. DBA, County Hauling for the City of Connellsville’s three-year garbage service contract, with an option for four years, beginning November 1, 2019 and ending October 31, 2022; pending review and approval of the City Solicitor.”

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

Councilman Topper announced the current Vacant Building Ordinance has an expiration date on it and that date is coming up.

Resolution No. 8-12-2019: “To introduce Bill No. 3 of 2019, AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, REQUIRING THE REGISTRATION OF ABANDONED REAL PROPERTY AND VACANT BUILDINGS AND STRUCTURES WITH A NOTARIZED REGISTRATION AND THE PAYMENT OF REGISTRATION FEES; SETTING FORTH DEFINITIONS; PROVIDING FOR THE APPLICABILITY OF THE ORDINANCE; PROVIDING FOR THE DESIGNATION OF LOCAL AGENTS; IMPLEMENTING A DUTY TO AMEND THE REGISTRATION; ESTABLISHING THE FEES FOR REGISTRATION AND APPLICABLE WAIVERS THEREFROM; PROVIDING PROCEDURES FOR APPEALS; PROVIDING THAT DELINQUENT REGISTRATION FEES SHALL BE A LIEN ON SUCH PROPERTY; PROVIDING FOR ANNUAL AND COMPLIANCE INSPECTIONS; SETTING FORTH PROVISIONS REGARDING RIGHTS OF ENTRY INTO SUCH PROPERTY AND REGARDING SEARCH WARRANTS AND NOTICES; PROVIDING PROVISIONS FOR SPECIAL REQUESTED INSPECTIONS AND NOTICES; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE; SETTING FORTH VIOLATIONS AND PENALTIES; PROVIDING FOR COMPLIANCE WITH OTHER CODES; DECLARING THAT THE PROVISIONS OF THIS ORDINANCE ARE NONEXCLUSIVE; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE.”

Solicitor Witt noted this ordinance will remove the posting the building requirement and mandating the funds collected.

Councilman Keedy what constitutes a building from being considered as “not vacant”.

Councilman Topper answered if it is for sale, with verification, you are given a one-year waiver. He added a second-year waiver goes before the Health Board to consider approval. He further explained this ordinance in detail. Councilman Topper stressed the City will know who to contact if something happens and they can provide a list of homes to the Police Department and New Haven Hose.

Code Officer, Tom Currey, noted a lot of the vacant buildings are foreclosures.

Councilman Karpiak stated he does not like that this, again, puts a cost on property owners. He gave an example that the fee they must pay could be money for them to buy a new window or other item needed. He also questioned how New Haven Hose knows, for example, before they get there, if a property is vacant. Councilman Karpiak stated he understands this is for public safety.

Councilman Topper stated when a structure is on fire, they are not looking for a sign in the window, but if it is something, they need to contact someone for; this list will make it easier. He further added they would like to see if 911 could keep a list.

Councilman Karpiak stated he still wants to see the signs in the windows. He added the signs state who owns it, who registered and who paid. Further, he stated that he feels this ordinance is not distributed equally for all the vacant structures in town.

Councilman Topper answered that if there is a vacant structure that the City doesn't know about, they are keeping a low profile. He added if someone doesn't register and the City cuts the grass, they now have a \$300 lien on their property.

Councilman Karpiak stated again that it is good for the City to know who owns the building, but not good that people have to pay for the privilege of the City knowing they own that building. He stated he feels they should be able to come in to register the building and be handed a sign.

Councilman Topper stated that \$30 is to cover the administrative costs.

Councilman Karpiak stated if their taxes weren't paid, he would understand that.

Councilman Topper stated the money obtained goes into a specific line item so that if the City needs to (example) put plywood on a structure, they can pull the money from that line item. He added it costs the City money to buy the plywood and pay the Street Department to put it up. He further added this money covers all of that.

Councilman Karpiak stated those are good reasons and he likes knowing who the owners are.

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. 8-13-2019: "That this meeting of City Council does hereby adjourn."

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