

March 17, 2015 City Council Minutes

Connellsville City Council Minutes March 17, 2015 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 Geyer, Zolbrod, Karpiak and Ritch. Also attending this meeting was City Clerk and Solicitor Witt. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE: Rev. Matt Goldsberry led invocation Reminder of the procedures for public participation during City Council meetings. REMARKS FROM VISITORS/PUBLIC COMMENTS: Greg Nichols, Attorney for El Canelo Resolution No. 3-1-2015: REGARDING INTER-MUNICIPAL TRANSFER OF A RESTAURANT LIQUOR LICENSE PURSUANT TO 47 Pa. C.S.A. §461 (b.3) OF THE LIQUOR CODE OF THE COMMONWEALTH OF PENNSYLVANIA, AS AMENDED SO AS TO PROVIDE FOR THE TRANSFER OF A LIQUOR LICENSE OWNED BY JARED M. BILLY OF 22 KENSINGTON CIRCLE, UNIONTOWN, FAYETTE COUNTY, PENNSYLVANIA, TO EL-CANELO #3, INC. FOR USE AT 130 WEST CRAWFORD AVENUE, CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA WHEREAS, the Liquor Code of Pennsylvania as amended by Act No. 141 of 2000 to provide, inter alia, that an Inter-municipal transfer of a license must first be approved by the governing body of the receiving Municipality when the total number of existing restaurant liquor licenses, eating places and retail dispenser licenses exceed one license per 3,000 inhabitants; and, WHEREAS, pursuant to 47 Pa. C.S.A. §461 (b.3) of the Liquor Code of the Commonwealth of Pennsylvania, as amended, the City Council held a public hearing with respect to the proposed transfer of an existing restaurant liquor license held by Jared M. Billy formerly operated at 64 West Peter Street, Uniontown, Fayette County, Pennsylvania, to El-Canelo #3, Inc., for use at 130 West Crawford Avenue, Connellsville, Fayette County, Pennsylvania; and WHEREAS, the City Council find that the transfer of the aforesaid license would not adversely affect the welfare, health, peace, and morals of the City of Connellsville or its residents. NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the City Council of the City of Connellsville that the request by El-Canelo #3, Inc., to transfer a certain Pennsylvania Liquor Control Board License No. R-12686 to a premises within the City of Connellsville with an address of 130 West Crawford Avenue, Connellsville, Fayette County, Pennsylvania, is hereby approved. RESOLVED, this day of March, 2015. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. Jeff Layton, New Haven Hose Company, EMA Flood Report Lisa Gasperi, Elder Abuse Johanna Harden, Cameron Court Project Mayor Lincoln requested the Garden Club attend the next Council Meeting and show them how much money they have raised so far. Resolution No. 3-2-2015: "WHEREAS, the City of Connellsville desires to undertake the following project, Cameron Court Park Rehabilitation; and WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page", and WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and NOW THEREFORE, it is resolved that: 1. The "Grant Agreement Signature Page" may be signed on behalf of the applicant by the Official who, at the time of signing, has TITLE of Mayor of City of Connellsville. 2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing. 3. If the applicant is awarded the grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement. 4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the TITLE specified in paragraph 1 and the grantee will be bound by the amendment. I hereby certify that this Resolution was adopted by the City Council of the City of Connellsville of this applicant this 17th day of March, 2015." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. Rev. Donna Kopitsky, Connellsville Bikes 4 Kids Resolution No. 3-3-2015: "To authorize and direct the Connellsville Police Department to donate select lost, abandoned, and unclaimed bicycles with unknown or unidentified owners in its custody that have been in police possession for at least six months to Unity of Connellsville, in accordance with the letter provided by the Pennsylvania Department of Treasury, for the purpose of

having said bicycles repainted, restored, and engraved with identifying serial numbers for distribution to children in the 'Bikes 4 Kids' Project." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. Holly Healy, Cat's Courts, Care for Cat events, Volley Ball Court schedule

CORRESPONDENCE: Resolution No. 3-4-2015: "To recognize June 15, 2015 as Elder Abuse Awareness in the City of Connellsville." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. Veterans Commission, Memorial Day Parade, May 25th at 10 AM

Resolution No. 3-5-2015: "To close West Crawford Avenue to North Pittsburgh Street and East Crawford Avenue to the Memorial at North Pittsburgh Street and Memorial Blvd. for the Memorial Day Parade on Monday, May 25, 2015; pending approval of Police Chief and Penn DOT." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmembers Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

REGULAR AGENDA: Resolution No. 3-6-2015: "To approve the minutes from the February 17, 2015 City Council Meeting." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-7-2015: "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 Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

MAYOR LINCOLN: Mayor Lincoln announced two officers were in an accident. Police Chief James Capitos spoke about Police Department accident over the weekend. He also discussed police vehicles with Mayor Lincoln and Council. Mayor Lincoln announced there will be two promotions within the Police Department this evening. Ritch noted he would like to see their families present in a suitable ceremony. Karpiak questioned by how these promotions take place. Councilman Geyer answered the Union Contract stipulates how many patrolmen, Corporals, Sergeants, etc. there are. He added it also stipulates the time frame Council needs to vote on them. Geyer stated if there is a vacancy in one of the ranks, Council has 90 days to fill that vacancy.

Police Department Report Resolution No. 3-8-2015: "To approve a 48 month, \$26,000.00 loan from the Scottdale Bank & Trust Company, with zero down payment, 2.250% fixed interest rate, for the purchase of a Police Car." Geyer stated Scottdale Bank helped out the City again. He stated the money for this was put in the budget and it is a good idea to keep leasing a vehicle every two years to keep the vehicles fresh. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-9-2015: "To approve the participation of the City in the Central Westmoreland Council of Governments Vehicle & Equipment Purchasing Program (Cooperative Purchasing Contract 13-MV-013-014) to approve the purchase of a 2014 Ford Taurus Police Vehicle (see attached specifications) from Davies Ford for a base cost of \$25,585.00." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-10-2015: "To promote Cpl. John James to Sergeant and to promote Ptl. Thomas Patton to Corporal effective April 1, 2015." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-11-2015: "To adopt Bill No. 1 of 2015, AN ORDINANCE OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA: An ordinance recognizing New Haven Hose Company as the fire department of the City of Connellsville; describing the organization of such company; recognizing the appointment of the Fire Chief and the Assistant Fire Chief; providing for oaths and bonds; prescribing the duties of the Fire Chief, Assistant Fire Chief, and firemen; and repealing Ordinance Nos. 13, 783, 1086, 1463, and all other ordinances inconsistent herewith." A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

REMINDERS: Mayor Lincoln notified Council he asked Solicitor Witt if there was a signed contract from Fayette Festivals and there is not a signed contract yet. He noted Fayette Festivals stated there will be one here by the end of the week.

March 19th, Economic Summit, Sr. Center at 6:30 PM
April 4th, Yough River Trail Council's Annual Spring Race
April 11th, Wesley United Methodist Church's Spaghetti Dinner, 4 PM – 7 PM, 724-628-7960

April 14th & 15th, Next Recycling Days April 22nd, Earth Day April 25th, City Clean-up May 2nd, Community Yard Sale, Chamber of Commerce – 724-628-5500 May 9th, Spring Clean-up Day, place non-freon items at curb side the night before May 23rd, Geranium Festival May 25th, 10 AM, Memorial Day Parade

GEYER: Resolution No. 3-12-2015: “To abate, and to exonerate the City Treasurer from collecting, 2015 City Real Estate Taxes on City owned properties, which shall be exempt from 2015 City Real Estate Taxes, known and located as follows: Connellsville Area Senior Center, 100 East Fayette Street, \$1,959.56; Connellsville Community Center, lots 15, 23, and 31, 201 East Fairview Avenue, \$333.59; Connellsville Community Center, PT lot 7, South Cottage Avenue, \$55.14.” Geyer announced these are pieces of real estate that are not exonerated so Council does that on their own. “The Senior Center is not exempt, so we filed the proper paperwork with the County to have that removed completely from the rolls for the City, County and School as well” Geyer stated. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-13-2015: “To adopt Bill No. 2 of 2015, amending Ordinance No. 1413, the City of Connellsville Firefighters' Pension Plan with the Employers' reserved right to amend the Plan pursuant to section 11.01; and amends the Ordinance to coincide with the provisions of a Settlement Agreement dated December 17, 2014 between the City and the International Association of Firefighters (Local 1917).” A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-14-2015: “To pay the remainder of Kubota Leasing from the PNC Recreation Checking Account at \$263.65 per month.” A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. Geyer stated the City’s Auditor requested another meeting right after tax season. He noted this will allow for the prior year audit to be completed then 2014 can be done.

KARPIAK: Public Works Report Resolution No. 3-15-2015: “To open bids received for the following vehicle: 1994 Ford F600 Dump Truck with a Thiel Dump Bed, Snow Plow and Salt Spreader.” A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. Karpiak opened bids as follows: Ritenour and Sons, \$1,600.00, 10% check included John Maricondia, \$1,800.00, 10% check included Chuck Meyer, \$1,000.00 with no 10% down check Fayette Forestry products, \$2,250.00, 10% check included Ritch announced that whoever does not get the bid, the City must deposit their money and then resubmit a check to them (refund it). Zolbrod suggested looking at other avenue to make more money for it. Council discussed other ways to sell the truck.

Resolution No. 3-16-2015: “To accept the bid from Fayette Forestry Products in the amount of \$2,250.00 for the 1994 Ford F600 Dump Truck with a Thiel Dump Bid, Snow Plow and Salt Spreader.” A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Karpiak and Ritch and Mayor Lincoln. Councilmen Zolbrod voted nay. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-17-2015: “To advertise for the hiring of summer workers for the Public Works Department at a rate of \$7.50 per hour for a maximum of 35 hours per week for a maximum of twelve weeks, such cost to be taken from line item 01430-145.” A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

RITCH: Ritch read a resolution concerning cutting down trees. Council discussed liability issues and the number of trees and time frame. Karpiak suggest making it fair across the board including bids with removing all dead wood out of the trees. Council agreed to give more time to get bids.

Resolution No. 3-18-2015: “To request bids for the summer rental of the Concession Stand at Yough Park to any interested party for the period May 1, 2015 through September 31, 2015. Any conditionally accepted proposal shall be required to enter into an agreement with the City, undergo a thorough background check and provide proof of Liability Insurance, under such terms and conditions as are approved by City Council and the City Solicitor, for the operation of such concession stand.” Ritch announced Council decided against a long term lease. He further noted Council decided to have a background check and proof of liability insurance. Ritch stated the concession stand will have new locks put on it soon. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Resolution No. 3-19-2015: “To authorize and enter into easement and right of way agreements and a supplemental agreement with Columbia Gas (attached hereto as exhibits) regarding Parcel ID No. 05-05-0049; and authorizing the

Mayor and City Clerk to execute such documents on behalf of the City.” Geyer stated this is compensation, \$7,500.00, for the easement. Ritch stated this is based on the footage that Columbia Gas will be utilizing. Zolbrod stated for Columbia Gas to offer the City \$1.00, makes him wonder if \$7,500 is fair. Karpiak stated that he is not in favor of this resolution and would have liked to be at that meeting. He noted that Geyer was negotiating for Council. Geyer stated he is comfortable with this amount and that is what the motion is for. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer and Ritch and Mayor Lincoln. Councilmen Zolbrod and Karpiak voted nay. The majority of the votes being affirmative, the resolution was adopted. Resolution No. 3-20-2015: “To appoint Deanna Richter to the Connellsville Recreation Board.” Ritch asked if this person is subject to a background check. Mayor Lincoln answered yes, everyone is. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. ZOLBROD Health/Code Officer Report New Haven Hose Report Resolution No. 3-21-2015: “To introduce Bill No. 3 of 2015: An ordinance of the City of Connellsville amending Ordinance No. 996, enacted February 27, 1967, amending Ordinance No. 1211, enacted April 13, 1981, and amending Ordinance No. 1507, enacted April 15, 2014; regulating the demolition and removal of certain buildings within the City of Connellsville; requiring permits; setting demolition and removal bond amounts; and prescribing penalties for violations therefor.” Mayor Lincoln stated Allen should not be allowed to keep his vehicle in the City’s parking lot downtown and we should not give him a year to get a job done. He noted it should be moved, the bricks removed, the dirt should be there and the sidewalks fixed. Council discussed this further. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. Resolution No. 3-22-2015: “To direct the City Solicitor to record the following liens and further direct the Solicitor to execute the Sheriff Sale process: \$600 for the property known as 357 E Crawford Avenue (Parcel ID 05-06-0002), \$600 for the property known as 238 East Crawford Avenue (Parcel ID 05-09-0088) and \$300 for the property known as 832 Morrell Avenue (Parcel ID 05-14-0122). All cost associated with this process shall be added to the lien and sale value. A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted. CITY TREASURER JAYNES REPORT: CITY CONTROLLER BROOKS REPORT: Resolution No. 3-23-2015: “That this meeting of City Council does hereby adjourn.” A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Karpiak and Ritch and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.