

**Connellsville City Council  
Minutes  
SEPTEMBER 16, 2014**

This regular meeting of the Connellsville City Council was held this evening at 6:30 PM at City Hall, Connellsville, PA. Attending this meeting was Mayor Lincoln, Council members Karpiak, Geyer, Zolbrod and Ritch. Also attending this meeting was City Clerk Tesauro and Solicitor Witt.

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE:** Invocation was led by Rev. Andrew Spore.

**Resolution No. 9-1-2014:** "To adopt the attached procedures for public participation during City Council meetings.

- 1. All public comments shall be limited to a maximum of three minutes per individual speaker, unless there are five or fewer speakers, in which event all public comments shall be limited to a maximum of five minutes per individual speaker.*
- 2. All members of the public shall remain at the podium or their seats while giving their public comment. At no time shall a member of the public be permitted to approach the Council members, City Clerk, City Solicitor, or any City official or employee during the course of the meeting without first having received approval by the City Council.*
- 3. All members of the public shall speak in a normal tone of voice when addressing the City Council during public participation and shall refrain from raising their voice to a decibel level which is outside the scope of a normal speaking tone.*
- 4. All members of the public shall behave in a respectful and professional manner when giving public comment and shall refrain from the use of any profanity, vulgar or inappropriate speech.*
- 5. Members of the public may not engage in any harassing or threatening behavior toward the Council members, City Clerk, City Solicitor, or any City official or employee. Any behavior of a harassing or threatening nature by a member of the public will be grounds for expulsion of that member from the City Council meeting."*

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**REMARKS FROM VISITORS/PUBLIC COMMENTS:**

Marilyn Weaver, Redevelopment Authority Report, CDBG

Susan Joy Lewis, Vacant Building Ordinance

Andrea Joy Guth, Vacant Building Ordinance

Melissa Tzan, Recreation Board

Greg Haluschak, Zoning Laws

Judy Keller, Vacant Building Ordinance

Goldie Brown Mitchell, Vacant Building Ordinance

Howard Mitchell, Vacant Building Ordinance

Dr. James McIntire, Blight, Vacant Building Ordinance

Frank Gray, Vacant Building Ordinance

David Hacker, Vacant Building Ordinance

Tuffy Shallenberger, Vacant Building Ordinance

Roxanne Mongelluzzo, Harold Betters request

David McIntire, Vacant Building Ordinance

Robert Carson, Vacant Building Ordinance

Johanna Harden, Vacant Building Ordinance

Gary Colatch, Vacant Building Ordinance

Cecilia Driscoll, Vacant Building Ordinance

Connie Summerson, Vacant Building Ordinance

Jenna Hoover, Vacant Building Ordinance

#### **CORRESPONDENCE:**

Fayette County Cultural Trust, Donation letter

Connellsville Counseling & Psychological Services, Harold Betters

Mayor Lincoln presented a Proclamation for Harold Betters Day to his daughter, Cheryl.

**Resolution No. 9-2-2014:** "To proclaim that Saturday, November 8, 2014, will hereby be known and celebrated as Harold Betters Day in the City of Connellsville."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Running Dead Committee, Running Dead Run/Walk on October 4, 2014

**Resolution No. 9-3-2014:** "To close South Prospect Street between Fairview Avenue and Church Place on October 4, 2014 beginning 8 AM until the Running Dead Run/Walk ends. Further authorizing the closure of South Prospect Street from Church Place to Orchard Alley for the beginning of the race until the last participant and vehicle passes through. Closures pending review and approval of Police Chief."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-4-2014:** "To proclaim that Saturday, October 4, 2014, the City of Connellsville will hereby be known and celebrated as Zombievillage."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln presented a Proclamation for Zombievillage to a member of the Running Dead Committee.

### **REGULAR AGENDA:**

**Resolution No. 9-5-2014:** "To accept the minutes from the August 19, 2014, 2014 City Council Meeting."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Karpiak, Ritch and Zolbrod and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-6-2014:** "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."

Zolbrod stated that he has a problem introducing the amended Vacant Building Ordinance. "The reason we have the 4 day rule is to give the citizens time to research whatever is going to be introduced. I feel it is ok to waive the 4 day rule on items that are not as controversial as this is." Zolbrod stated. He further stated people need time to research what is in this ordinance.

Mayor Lincoln agreed with Zolbrod.

Geyer stated that Zolbrod and Lincoln are correct and he appreciates their stand on this. He stated he will not read the amended version of the ordinance this evening but would like to discuss the proposed change.

Zolbrod explained to the public that the amended version has a "Trigger Clause" in it. He further explained that it states that one or two family properties would not be subject to interior inspections unless they were cited for an exterior code violation that has not been stayed. Zolbrod discussed the Trigger Clause. He also stated the number one priority of the ordinance is to keep the first responders and children safe. He also stated the Health Board is not in favor of the Trigger Clause.

Geyer responded the "Trigger Clause" is important to him and he asked the Solicitor to put it in writing so the ordinance can move forward. He also noted the Trigger Clause isn't giving the property owner more time.

Geyer asked Tom Currey (Health/Code/Zoning Officer) what will be done, once this ordinance is put into place, to help the first responders.

Currey stated the building will placard with the owners name and phone number so first responders can contact the owner. With a “dangerous building or structure” there will be a hearing. Dangerous buildings are fire loads, floors rotting out and roofs that you can’t see from the street. He stated that the property will then be placard with a big orange sign that states “unsafe and dangerous property – any internal operations shall be conducted with extreme caution”.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

## **MAYOR LINCOLN:**

Police Department Report

Mayor Lincoln stated the Police Department will have their bullet proof vests in October.

**Resolution No. 9-7-2014:** “A RESOLUTION OF THE CITY OF CONNELLSVILLE, COUNTY OF FAYETTE, COMMONWEALTH OF PENNSYLVANIA, APPROVING TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R-10072 INTO THE CITY OF CONNELLSVILLE FROM THE BOROUGH OF DUNBAR, FAYETTE COUNTY, PENNSYLVANIA.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-8-2014:** “To close the following streets on October 28, 2014 for the New Haven Hose Annual Halloween Parade to begin at 7 PM: South Pittsburgh Street from East and West Green Street to the Brimstone Corner and East Crawford Avenue from the Brimstone Corner to South Seventh Street to New Haven Hose; pending review and approval of Police Chief and Penn DOT.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln stated that the Shade Tree Committee will be put back together to put a plan into place on how to handle the trees in the City that are getting old and falling down. He noted they will take this plan before Council.

**Resolution No. 9-9-2014:** “To reappoint Linda Galiardi to the Shade Tree Committee; term to expire the first Monday of 2019.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-10-2014:** “To appoint David McIntire to the Shade Tree Committee; term to expire the first Monday of 2016.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-11-2014:** "To appoint Scott Felger to the Shade Tree Committee; term to expire the first Monday of 2015."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-12-2014:** "To appoint David Stupka to the Shade Tree Committee; term to expire the first Monday of 2017."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-13-2014:** "To introduce Bill No. 5, Ordinance No. 1510, AN ORDINANCE PROVIDING FOR AND REGULATING THE USE OF FIRES AND BURNING BY THE ESTABLISHMENT OF SPECIFIC REGULATIONS, EXCEPTIONS, AND DEFINITIONS; PROVIDING FOR ENFORCEMENT; AND PRESCRIBING PENALTIES FOR VIOLATION."

Mayor Lincoln stated that the City must follow the State right now which says we can only burn for cooking outside, fire pits or a religious ceremony. "The City does allow for yard clippings but we have no enforcement. Burning garbage is not permitted in the City." Lincoln stated. He added the Police can now ticket people who are burning illegally and you do not want to burn yard clippings because Advanced Disposal will take them if they are in a bag and not more than 40 lbs.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Mayor Lincoln stated he discussed with the Police Chief having Trick-or-Treat on Halloween with the Police Department on patrol. He added he would like to have New Haven Hose Company out in their trucks. Lincoln announced he posed this question on Facebook and people have supported the idea. He said that the other communities and the City will try to all keep the same day and time for Trick-or-Treat. Armstrong donated 500 flashlights for the City to hand out to the kids.

**Resolution No. 9-14-2014:** "To set Trick or Treat in the City of Connellsville for Friday, October 31<sup>st</sup> from 6 PM until 8 PM."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

### **REMINDERS:**

September 20<sup>th</sup>, Gayle Music Festival, East Park, \$7 ticket, [gaylemusicfest.com](http://gaylemusicfest.com)

September 21<sup>st</sup>, St. Rita's "all you can eat" breakfast, 724-628-5119

September 28<sup>th</sup>, Community Field Day, East Park

Every Friday and Saturday in October, Haunted Hallways, Community Center, 724-626-0300

October 4<sup>th</sup>, Running Dead 5K Run/Walk, Begins Community Center Noon, \$25, [connellsvillezombies.org](http://connellsvillezombies.org)

October 4<sup>th</sup>, Scavenger, Community Center, 4 PM, \$5 per person, 724-626-0300

October 4<sup>th</sup>, Tangled Up In Brew, Yough Park, 6 PM – 11 PM, Connellsville Recreation Board's Facebook Page for information

October 10<sup>th</sup>, Finley's Fighters Fundraiser, River's Casino Bus Trip, \$25, 724-628-6078

October 11<sup>th</sup>, Fall Clean-up Day, place items at curb the night before

October 24<sup>th</sup> 6 PM – 7:30 & 25<sup>th</sup> 2 PM – 4 PM, Ghosts of Fayette County, Community Center, \$6, 724-626-0300

October 24<sup>th</sup>, Parade of Costumes, 2 PM, Community Center, 724-626-0300

October 24<sup>th</sup>, Monster Mash Dance, Community Center, 7PM – 9 PM, \$3, 724-626-0300

October 31<sup>st</sup>, Trick or Treat, 6 PM – 8 PM

#### **GEYER:**

Geyer announced a few updates: The Audit Committee has met with the new City Auditor, McClure and Wolfe and are working on updating our accounting procedures at City Hall. He also announced the City will begin using "Quick Books" for accounting soon.

Geyer discussed setting Budget Meeting dates with Council. He stated he will have a resolution for the next meeting with a few consecutive Thursdays.

Geyer also stated that his concern with the Vacant Building Ordinance is unintended consequences that may be in the details of the ordinance.

Mayor Lincoln asked Solicitor Witt the following question: "If this ordinance gets passed tonight, how would we amend it?"

Witt answered that at next month's meeting, someone would have to introduce a proposed amended ordinance.

#### **KARPIAK:**

Public Works Report

Snow removal and leaf pick-up schedules will be posted soon

Karpiak announced that the grant the City received came from recycling and the City is doing a great job on recycling.

Karpiak discussed the Francis Avenue paving project. He noted October 31<sup>st</sup> is the deadline for paving.

**Resolution No. 9-15-2014:** "Be it resolved by the City Council of the City of Connellsville, to purchase a 2015 Ford Super Duty F-550 4WD Dump Truck, equipped with Snow Plow and Salt Spreader, from U.S. Municipal Supply Co. and the PA Co-Stars Program, for the price of \$79,294.00. A down payment of \$40,000.00 will be made out of the City's Liquid Fuel Account with the remainder be paid over four years at a yearly rate of \$10,799.56. The reimbursement will be made to the Liquid Fuels Account from the Department of Environmental Protection Municipal Recycling Program Grant in two installments, with the first 90% to be received after submission of paperwork verifying the purchase and the remaining 10% being paid at the completion of the grant."

Geyer stated he requested a breakdown of the City's Liquid Fuels money and has not received it yet and feels the City does not have enough money to cover the \$40,000.00 down payment that is required.

Karpiak answered it was his understanding that once it is all said and done there would still be \$90,000 left in that account.

Geyer noted that the Controller is reporting this evening there is \$164,900 in the Liquid Fuels Account. He stated to take \$77,000 for light bills and \$50,000 for the disbursement that was voted on last month.

Council stated that was already taken out.

Geyer answered that is not what was reported to him.

Geyer and Keller stated they do not remember signing that check.

Controller Brooks suggested calling PNC Bank for the balance to assure accuracy.

Council decided to add a line to the following resolution:

**Resolution No. 9-15-2014:** "Be it resolved by the City Council of the City of Connellsville, to purchase a 2015 Ford Super Duty F-550 4WD Dump Truck, equipped with Snow Plow and Salt Spreader, from U.S. Municipal Supply Co. and the PA Co-Stars Program, for the price of \$79,294.00. A down payment of \$40,000.00 will be made out of the City's Liquid Fuel Account with the remainder be paid over four years at a yearly rate of \$10,799.56. The reimbursement will be made to the Liquid Fuels Account from the Department of Environmental Protection Municipal Recycling Program Grant in two installments, with the first 90% to be received after submission of paperwork verifying the purchase and the remaining 10% being paid at the completion of the grant, conditioned upon the City's Liquid Fuels Account having a minimum balance of \$160,000.00."

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-16-2014:** “Be it resolved by the City Council of the City of Connellsville, to purchase an “ODLCT 650 Leaf Collector and Leaf Collection Box” from Old Dominion Brush Co. and the Co-Stars Program for a combined total of \$32,085.00. Payment will first come from the City’s Liquid Fuels Account with reimbursement coming from the Department of Environmental Protection Municipal Recycling Program Grant. Reimbursement schedule will be 90% and the final 10% at the completion of the grant.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-17-2014:** “Be it resolved by the City Council of the City of Connellsville, to enter into an agreement with Acceptance Leasing & Financing Service, Inc. of Moon Township, PA for the purchase of a Ford F-550 Dump Truck. Terms are a four-year lease with yearly payments of \$10,799.56, with a down payment of \$40,000.00. Payments to be taken from the City’s Liquid Fuels Account.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

Karpiak announced the City will be putting out for bid the 5 Ton Ford Dump Truck. He stated with the plows on, it does not fit on the roads that the City needs. Karpiak added the City will also be putting out a leaf box for bid.

**RITCH:**

**Resolution No. 9-18-2014:** “To place an invitation for bid for the sale of the City owned vacant property on South Pittsburgh Street (Parcel ID 05-07-0357) and direct the City Clerk to advertise the parcel for bid. Bids are to be received no later than Monday, October 20, 2014 at 4:00 PM and to be opened on Tuesday, October 21, 2014 at 6:30 PM at City Hall during the regular scheduled Council Meeting.”

Ritch stated it is across from Marshall Pence’s property.

Currey stated there will be challenges in developing that property.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**ZOLBROD:**

Fire Department Report  
Health/Code Officer Report  
New Haven Hose Report

**Resolution No. 9-19-2014:** “To hire and enter into an agreement with Hoffman Boarding Kennels for animal control services and to name, appoint, and authorize Hoffman Boarding Kennels as the City’s animal control officer.”



Lincoln stated that Hoffman Kennels is the only choice the City has right now to use. He noted there is a group in Fayette County called Angles of Mercy who are trying to regain the facility once used by the Fayette County SPCA. Lincoln announced they want to reopen it under their name due to being overwhelmed with animals right now. He added when an animal is found in the City, a picture will be taken and put on the Facebook Page because he would rather find the owner before Hoffman's is called.

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**Resolution No. 9-20-2014:** "To adopt Bill No. 3, Ordinance No. 1508, AN ORDINANCE OF THE CITY 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; PROVIDING FOR THE POSTING OF SUCH PROPERTY; 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."

Zolbrod stated he has worked on the ordinance along time, got opinions from all sides, sat down with those opposing it and those for it. He noted his goal was to write an effective ordinance that is as fair as possible. Zolbrod stated he wants it to be clear that the intention of this ordinance is not for Tom Currey to enter your homes without a warrant to look for things he can cite you for. He stated the number one reason for this ordinance is safety of our first responders and our kids.

Lincoln stated he hopes this will pass and if needed, amended later.

Ritch thanked Councilman Zolbrod for his time and work on the ordinance. He added there are things that are of concern for him in the ordinance and feels this ordinance is a 90% solution.

Karpiak stated he is concerned with the division this has caused. He added he doesn't want to see those who cannot afford to fix up their homes hurt. Karpiak announced he will get a workshop together to fight blight. He stated he would like to get the Redevelopment Authority, Chamber of Commerce and others involved to raise money. Karpiak stated "Everyone came together to get rid of the Aarons Building and we did it. Everyone came together to get the hotel, and we did it. Why can't we come together to buy a roof, a door or a window for someone who needs it? This has got us angry enough to make us go out there and get things cleaned up. With that said, I want to make you guys a deal, when we do this, I would like to do this

October 8<sup>th</sup> at the Community Center and have some people there who have done this, fought this and have helped people. We understand there are professional takers out there. So I hope you guys support me on this. You said you were willing to make amendments to this. I support you and I hope that you do the same thing.”

A vote upon the adoption of the resolution resulted as follows: Affirmative were Councilmen Geyer, Zolbrod, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.

**CITY TREASURER KELLER’S REPORT:**

**CITY CONTROLLER BROOKS REPORT:**

**Resolution No. 9-21-2014:** “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, Ritch and Karpiak and Mayor Lincoln. The majority of the votes being affirmative, the resolution was adopted.