

**WILKINSBURG BOROUGH COUNCIL MEETING**  
**Work Session**  
**March 21, 2012**

**CALL TO ORDER**

President Cohn called the meeting to order at approximately 6:30 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkesburg, PA.

**ROLL CALL**

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre, Ms. Evans, Ms. Ervin, Ms. Trice, Ms. Moore (via telephone connection), Ms. Goodman, Ms. Macklin and President Cohn. Ms. McCarthy-Johnson, Mayor John Thompson and Marla Marcinko, Borough Manager, were absent. A quorum was established

**PLEDGE OF ALLEGIANCE**

Following the pledge of allegiance, President Cohn requested that a moment of silence be observed to remember victims of violent crime.

President Cohn commented on the events of today involving the Police Department and the Fire Department, without the loss of life, and expressed his appreciation to all who responded.

President Cohn read aloud a statement concerning the proposal from the City of Pittsburgh to increase the number of police officers to be stationed at the Borough Building in an effort to improve public safety.

Ms. Macklin expressed her concern that a confidential document was released to the public and contended this may be a violation of the Sunshine Law. She requested that those Council members that were not involved in the release of the statement be provided an opportunity to rebut information contained therein and their concerns regarding the police force and the safety of the public. She commented on the undermining of public confidence in public safety as well as the police officers' confidence in Council for continued employment.

Mayor John Thompson and Vanessa McCarthy-Johnson arrived at approximately 6:40 p.m.

President Cohn explained there were no violations of the Sunshine Law committed in releasing a statement to the public and that the intention was to clear up false information and provide transparency in government. Ms. Macklin questioned the process used by President Cohn and four Council members in deciding to release the City's proposal and the lack of notification to the other members of Council. Ms. McCarthy-Johnson

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commented that Council had stated publicly at prior Council meetings with all members in attendance that the proposal would be presented to the public. Council will check the minutes. President Cohn stated that the public was advised that the proposal would not be released until Council had the chance to review.

**PUBLIC COMMENT**

**Edwin Clifford Cyrus – 1456 Center St.** – Spoke of similar proposals for a drug task force when Mayor Pitts was in office in Wilkesburg. He referred to East Hills as an example of how the City has performed with policing and that the East Hills now has their own security forces.

**Alfred M. Royal – 1500 Center St.** – Commented on the quick response of the Wilkesburg department and not wanting officers to lose their jobs.

**Shawn Handy – 1504 Foliage St.** – Spoke in support of the police force.

**Fred & Elaine Quinn – 1563 Marlboro Ave.** – Mr. Quinn stated that if something is not broken, it need not be fixed. He further commented about new officers becoming acclimated to the community and that the Wilkesburg officers are doing a good job.

**George Wilson – 1216 Swissvale Ave.** – Spoke in support of the police department.

**James Fulton – 1310 Hay St.** – Mr. Fulton asked if Mayor Thompson and Chief Coleman were involved in the discussions with the City.

Mayor Thompson commented on his lack of involvement in the meetings and that there had been at least three meetings held before he received a copy of the proposal. Mayor Thompson commented that he saw no benefit to the community. President Cohn commented about the sharing of data in the fall of 2011. President Cohn had attended a meeting and commented that Mayor Thompson received the proposal before full Council.

**Wilbert Wright – 1315 Clark St.** – Questioned whether there is a Parks and Recreation Department. Ms. McCarthy-Johnson responded that there is a Parks and Recreation Advisory Board. Mr. Wright commented on the five to four Council votes.

**Rock Burnett – 1218 Coal St.** – Questioned whether Council reviewed the petitions which have been submitted.

**Denise Edwards – 118 Peebles St.** – Asked Mayor John Thompson if the County provides services to the Borough at no cost. Mayor John Thompson responded that most of the services contained in the City's proposal are already in place in Wilkesburg. The County is accessed as needed. Mayor Thompson again stated he did not see the benefit of the proposal. Ms. Edwards urged Council to stop the City take-over of the Wilkesburg Police Department.

**Ed Gainey – 6451 Apple St.** – Commented that Pittsburgh has a fine department but expressed concerns over a shortage of officers to walk the beat, response times to Wilkesburg calls, and familiarity of the territory.

**Connie Bayer – 1345 Penn Ave.** – Stated that public safety does need to be improved and that she is not sure how that it best accomplished but that it needs to be done.

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Public comment was closed and the meeting was recessed at approximately 7:30 and reconvened at approximately 7:45.

A motion was made by Ms. Macklin, second by Ms. McCarthy-Johnson, that Council approve the following resolution:

**Whereas**, the Wilkinsburg Borough has its own paid police force, **Whereas**, Wilkinsburg Borough Police serve our entire community professionally and with integrity. **Whereas**, the Wilkinsburg Borough residents and business owners, Mayor, and Council members acknowledge that a police force that is very familiar with its community, residents, youth and businesses is most effective and provides much needed community services to the Borough. **Whereas**, a police force locally based and locally controlled is more able to be responsive to the changing needs of our community. **Whereas**, the majority of Council, President Cohn, Vice-President McCarthy-Johnson, Tracey Evans, Michael Lefebvre and Eve Goodman released to the public this confidential information the City of Pittsburgh Police Proposal and placed it on the official Borough of Wilkinsburg website without the knowledge of, or discussion by, a vote of full Council in violation of the Sunshine Laws. **Whereas**, the release of the City of Pittsburgh Police Proposal to the public further undermines community confidence in public safety and further undermines our police force because it gives the appearance no matter what contracting out discussions by the majority of Council is going forward. **Therefore Be It Resolved** that the Wilkinsburg Borough Council order the Borough Manager, and Solicitor and any other representatives of the Borough of Wilkinsburg to cease and desist any and all further communications and efforts to contract out police services for the Borough of Wilkinsburg to the City of Pittsburgh or to any other entity.

President Cohn commented that he prefers to deal with the facts and is looking forward to responses from the union, Mayor Thompson and Chief Coleman on the proposal. President Cohn continues to believe the matter should remain an open issue. Ms. Macklin commented about public hearings being held before the City was approached on the fire department merger. President Cohn commented on the process and individuals involved in the fire department merger. Ms. Goodman requested a chance to further review the proposal and pose additional questions to the City. Ms. Moore entrusted the involved parties to secure a police merger, not a police takeover. President Cohn responded that the Borough did not know what the City would offer and be willing to do until asked.

**Yes:** Ms. Ervin, Ms. Trice, Ms. Macklin, Ms. Moore

**No:** Ms. Evans, Ms. McCarthy-Johnson, Ms. Goodman, Mr. Lefebvre, President Cohn

**Motion failed 4:5**

**PUBLIC SAFETY**

**1. Increased enforcement through civil penalties.**

Sean Gramz, Director of Code Enforcement, presented Council a proposal to add civil penalties for code violations. This would reduce the number of non-traffic citations the Department issues to Borough citizens for property maintenance violations, trash, public gatherings, rental properties, solid waste, storm water, sidewalks, graffiti, junk dealers and noise. The Department presently issues approximately one hundred citations per month. This proposal will reduce the number of citations issued by at least 7%. The citation process is similar to traffic citations. Ms. Macklin questioned whether the system is designed to assist residents in notifying them of problems and the need to take corrective action or respond to the Code Enforcement Department. Mr. Gramz explained that time is afforded to remedy the problem before any action is taken. The proposed program will increase the efficiency of the Code Enforcement Department. President Cohn advised that Ms. Marcinko has requested a consensus of Council to proceed. Ms. Moore asked if consideration will be given to the elderly or disabled and whether resource information will be offered. Mr. Gramz advised that the Department would offer both.

A resident in the audience commented on the deterioration of the train trestle on Penn Avenue and the hazard to the public. Ms. Evans advised that an engineering study has been funded with Community Development Block Grant funds to design repairs to all of the underpasses. She stated that there have been discussions with Norfolk Southern for the past five years and they will not make aesthetic repairs. As long as they can move trains on the tracks, they contend no repairs are warranted. She commented on the scaling work performed by the railroad and that significant repairs will be proposed as a result of the engineering study.

**2. Proposed fee schedule – Building and Codes.**

Ms. Macklin commented on the increased costs in addition to Plans Examiners' inspection fees and the impact this may have on property owners and business owners improving their property. Mr. Gramz explained Plans Examiners' rate structure and that the Borough has no way of knowing what Plans Examiners charges Borough residents. Ms. Evans commented about the progress and changes to the permitting process.

**3. Discussion – Residential parking – 1000 Mifflin Avenue**

President Cohn provided an overview of the request for a change to the residential parking designation on Mifflin Avenue. If Council agrees, the ordinance can be authorized for advertisement at the April 11, 2012 meeting.

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Ms. Moore commented that residential parking designations should be reviewed. President Cohn suggested that residents should let Council know when there is a problem and then action can be taken.

President Cohn informed Council of a complaint received on dim street lights. He stated that, per its agreement with the Borough, Duquesne Light replaces bulbs at the same wattage level as is in place. If the Borough wants to increase wattage, it must do so through a contractual arrangement with DLCO. He suggested Council ask the Borough Manager to review the costs associated with increased wattage. Ms. Macklin commented on Duquesne Light's responsibility to clean the lamp cover.

Mayor John Thompson informed Council of the response of a Borough police officer to a recent fire call wherein an 81 year old woman was pulled to safety by the officer. A neighbor assisted Sgt. Singer with the rescue. Ms. Macklin mentioned a similar incident where the police department pulled a person to safety.

Mayor John Thompson provided the Police Department report for February and March, 2012. There were a total of 65 arrests that included 9 drug arrests, 12 assaults, 10 disorderly conducts, 6 warrants, 8 DUIs and 2 obstructions. Eight weapons were confiscated during the reporting period. Training of officers is scheduled next month with two mandatory in-service trainings, updates and legal. Chief Ophelia Coleman will be attending training with Sgt. McKenith and Sgt. Singer in Harrisburg relating to accreditation on April 2-4, 2012. Test holsters are being used by officers and are working well. Several meetings were conducted as a result of the rash of recent shootings. MAD DADS has been patrolling on Friday and Saturday nights. A Dad's program is being planned by MAD DADS and the Department of Human Services at the Hosanna House in Wilkinsburg. Chief Coleman has met with several other agencies to enforce and make arrests of those in violation of warrants. Ms. Macklin questioned the problem with a large number of school age girls fighting in McDonald's and other places. She questioned if the police are working with the schools. Mayor John Thompson commented that the police have been called recently to the high school and there has been discussion with security, the principal and Mr. Perrin, Superintendent of Wilkinsburg School District. Quarterly meetings are held and the police department is actively involved in looking for ways to protect students. The problem has not been identified to be ongoing except for activity at the school. Chief Coleman has raised the issue of regular reporting from the school to the Police Department. Reportedly, the District was admonished by the State and now they are required to report all incidents to the Wilkinsburg Police Department. The police are being called nearly every day to handle disputes. There is an on-site probation officer at the school who makes referrals. Magistrate Kim Hoots also receives a lot of those cases and refers offenders to community service. Repeat offenders are referred to Shuman Center. Ms. Macklin asked about conflict resolution and was advised by Chief Coleman that the District does have a conflict resolution program. The Magistrate's office has a mediation program as well. Chief Coleman presented a press release to Council from the Sheriff's Office and

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provided an overview of arrests made with the assistance of the County Sheriff's Office. Chief Coleman advised Council that she has worked with Sheriff William Mullen for over thirty years as he is a former City of Pittsburgh assistant police chief. He has offered his support to Chief Coleman and Wilkinsburg.

**CAPITAL PLANNING**

Ms. Evans provided an overview of the efforts to develop a capital improvement plan.

**GENERAL MATTERS**

**1. Discussion – Request for banner placement to promote TreeVitalize Tree Planting Project.**

A motion was made by Ms. Evans, second by Ms. Goodman to approve the banner placement to promote the TreeVitalize Tree Planting Project.

Ms. Macklin requested a friendly amendment to extend the placement period from two weeks to three weeks.

**All voted in favor of the motion. Motion carried**

**2. Update on Act 13 (HB 1950) – Civil suit and water testing.**

Ms. Goodman advised Council of a class action lawsuit involving Peters Township and other municipalities surrounding legislation to restrict natural gas well drilling through zoning legislation. She requested a letter of support from the Borough of Wilkinsburg. She distributed an article to Council regarding higher levels of bromide in drinking water and the new chemical process. The cause is linked to drilling in Marcellus Shale.

Ms. Macklin commented that the Planning Commission is working on the update to the zoning ordinance and the challenges faced given that the State has eroded local municipalities' ability to regulate drilling through zoning law. Ms. Evans agreed to send a letter of support.

**3. Discussion – 2012-2013 legislative goals.**

President Cohn asked Council to take this seriously and to email any items to build consensus. Ms. Macklin requested notes from the Borough Manager regarding accomplishment of objectives. President Cohn expressed the importance of moving ahead with new objectives. Ms. Evans commented on the progress made and that all should go back and review the prior objectives. Ms. Macklin reminded Council that Delta Development was to look at plans and consolidate them.

**4. Discussion – Nuisance/political signs.**

Ms. Evans commented on the recent refurbishment of the decorative lamp posts and the damage done to them when signs are taped to the poles. She requested that Council consider a policy and binding legislation regarding the placement of nuisance and political signs. President Cohn commented that this would be a good idea.

Ms. Macklin mentioned that signs could be removed as part of the April Spring Clean-Up.

Ms. McCarthy-Johnson informed Council about the “Kony 2012 Project” scheduled for sometime in April, 2012 to plaster the world with posters. She highly recommends watching the video that started on YouTube about Kony who is a war criminal in Somalia. The campaign is to promote public awareness of crimes committed by Mr. Kony against women and children and putting children to war.

**ADJOURNMENT**

Being no further business, on motion by Ms. McCarthy-Johnson, second by Ms. Trice, the meeting was adjourned at approximately 9:00 PM.

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Jason Cohn, Council President