

WILKINSBURG BOROUGH
Council Legislative Meeting Minutes
February 11, 2015

CALL TO ORDER

President McCarthy-Johnson called the meeting to order at approximately 7:01 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkinsburg, PA.

ROLL CALL

The roll was called to establish a quorum. Present were Mr. Lefebvre, Ms. Garrett, Ms. Trice, Ms. Moore, Ms. Grannemann, Mr. Shattuck, Ms. Macklin and President McCarthy-Johnson. Amanda Ford, Borough Manager and Solicitor Michael J. Witherel were also present. Mayor John A. Thompson was absent. A quorum was established.

PLEDGE OF ALLEGIANCE

Following the pledge of allegiance, a moment of silence was observed to remember victims of violent crime.

PUBLIC COMMENT

1. *Yvette Glover* – 807 Wallace Avenue Suite 417 Hosanna House SRS Group/Administrator
 - Madame President my comments are not related to the agenda.
2. *Linda Kauffman* – 555 Mifflin Avenue
 - Expressed her disappointment to see on the agenda Councils intent to withdrawal the suit against the Board of Education. Also criticized Council on spending effort and monies to renovate and restore areas of Wilkinsburg to include Ardmore Blvd and the Business District and at that same time throw away the desires of the 3rd Ward. Ms. Kauffman mentioned that she and a number of other residents would move out of Wilkinsburg if they got rid of Green Street Park.
3. *Robert Firth* – 216 Green Street
 - Addressing the representatives of the 3rd Ward. The community values that open green space. We resident want to be pro Wilkinsburg and its discouraging to feel that our voices are not being heard. And it's discouraging to know that this 100 years park vs. 100 I pads. Please keep the Green Street Park.

President McCarthy-Johnson – Just one comment. The education of the children is very critical, and the School Board was given 100 iPad through a grant. This park has nothing to do with the iPad.

Mr. Firth – May I make one comment? It’s my understanding that a School Board Member made that equivalence. The sale of Green Street Park equals the purchase of the iPad. I am pro public education.

4. *Denise Edwards – 112 Peebles Street*

- Sorry Madame President, but neither of my items for discussion is on the agenda.

AGENDA ITEMS

1. Approving Council Meeting Minutes of 12/03/14 and 12/10/14.

- President McCarthy-Johnson – Council will approve the minutes for December 3, 2014; December 10, 2014 will not be approved due to an important section that needs verified.
- Borough Manager, Amanda Ford – Madame President after speaking with the Solicitor regarding this issue. We suggest to Council that we table the approval of the minutes for the December 10th meeting until the minutes can be properly completed. All the minutes from December 2014 through February 2015 can be approved at the next Legislative Work Session scheduled on March 11, 2015.

Moved: Mr. Taiani

Second: Ms. Trice

All voted in favor of the motion. Motion carried.

2. Approving January Checks Issued:

Regular Disbursements 01/01 – 01/31/15	\$ 946,681.34
Payroll Disbursements	\$322,096.84
Payroll Disbursements – Quarterly taxes	\$0.00
Voided Checks	<u>(\$921.21)</u>
Total Disbursement	\$1,267,836.97

Moved: Mr. Lefebvre

Second: Ms. Garrett

Yes: Mr. Lefebvre, Moore, Ms. Grannemann, Mr. Shattuck, Ms. Garrett, Mr. Taiani
President McCarthy-Johnson

No: Ms. Macklin, Ms. Trice

Motion carried 7:2

3. Approving MSF in the amount of \$50/Unit Increase effective February 11, 2015.

President McCarthy-Johnson – The issue is that the collection number is showing in the red due to a lack of increase over the years. The increase is necessary to avoid a deficit of \$122,671.

Mr. Taiani – Is it possible to have the collection quarterly instead of onetime annual payment?

Dave Elger – Finance Director – Currently our ordinance states that the collection is once a year and due by June 30th of each year. We would need to amend the ordinance to change the collection to a quarterly payment.

Mr. Taiani – A question for the Director or the Solicitor to answer would be; are there any prohibit of a windfall profit?

Michael Witherel – Borough Solicitor – No, there are no windfall profits in fee collections. This is a fee collected and goes right into the general fund budget.

Ms. Moore – I have a problem voting for an increase of \$50/Unit. The number of seniors in our community cannot afford this increase on a fixed income. Also, as Ms. Trice has indicated that the Alcosan sewage fees are increasing as well. Maybe smaller increments would be better and keep the numbers out of the red.

Mr. Shattuck – Suggested a \$30/Unit increase in year 2015; and \$5 increments for the remaining four (4) years.

Moved: Mr. Shattuck

Second: Mr. Lefebvre

Yes: Mr. Shattuck, Ms. Grannemann, Ms. Moore, Ms. Trice, Mr. Lefebvre, Ms. Macklin, President McCarthy-Johnson.

No: Ms. Garrett, Mr. Taiani

Motion carried 7:2

4. Approving to withdrawal of legal action related to Green Street Park against the Wilkesburg School District.

Ms. Garrett – I requested to place this discussion back on the agenda. During the January legislative meeting the information that was presented did not provide enough information that would have allowed me to make a sound and base decision. I am not in favor of pursuing legal action against the school district. It is my understanding that two of our council members have filed separate suit against the school district. However, as far as council pursuing legal action, I would like to request that we withdraw the suit against the school district.

President McCarthy-Johnson – Mr. Witherel would you explain what the process would be to withdraw legal action against the school district?

Solicitor Witherel – The complaint was filed the Friday after the last meeting. The school district has been served. There is also a motion to join the lawsuit by Mr. Taiani that was successful. Due to this fact, I may not be able to withdraw the complaint now that someone else has joined in on the suit. I may have to petition the court because there is now joint plaintiff.

Ms. Moore – The law suit cannot be withdrawn because of Councilman Lefebvre and Councilman Taiani separate filing?

Solicitor Witherel – Yes, due to their action to join the suit. It does not create a separate action.

Ms. Garrett – There was discussion to file the complaint, but there was also a discussion that council would follow up to talk to the School Board.

Solicitor Witherel – Two things were discussed. 1. I was directed by Council to file the petition and that Council would be talking with the School Board. 2. The other directive was for me to file the petition but take no further action because of the discussions that were to take place with the School Board.

President McCarthy-Johnson – That is exactly what was said.

➤ Further discussion followed.

President McCarthy-Johnson – The problem is that we have not met with the School District. And we need to table this discussion because there is a legal action filed. I am appointing Mr. Taiani and Ms. Garrett to meet with the School District to discuss this issue.

5. Approving Resolution No. 15-008 – VPRP application 2329 Orlando Place.

Moved: Mr. Lefebvre

Second: Ms. Grannemann

All voted in favor of the motion. Motion carried.

Mr. Shattuck – This property is in Blackridge and has been an eye soar in the neighborhood for years. Property has been acquired by the neighbor and will spend \$80,000 to rehabilitate the property.

6. Approving Resolution No. 15-009 – Authorizing the WCDC to submit a DCED grant application for \$50,000.00 to improve Wilkinsburg Main Street District façades.

Moved: Ms. Macklin

Second: Mr. Shattuck

All voted in favor of the motion. Motion carried.

7. Approving Resolution No. 15-010 – Authorizing the submission of a RAAC grant application for Strategic Blight Elimination and Gateway Creation.

Moved: Ms. Macklin

Second: Mr. Shattuck

Mr. Shattuck – This resolution supports the Community Infrastructure and Tourism Funding Grant (CITF). Capital Planning met and have been working on the application to put together a matrix of the 28 property provided from Code Enforcement. The Borough Engineer looked at all the properties and placed an estimated total of \$489,000.00. We are applying for the maximum amount of \$250,000.00. For the match we could pledge future bonds proceed.

President McCarthy-Johnson – The WCDC came to us and requested a support letter for the train station. Can we do both?

Mr. Shattuck – I do not see a problem with applying for them both. I would ask that the WCDC in turn prepare a support letter for our CITF application.

Mr. Taiani – Madame President, have we initiated a program that would allow the borough to go after violators who purchase vacant property and then neglect the property. We need a plan in place to go after these individuals. If we don't have a plan, perhaps it can be placed on the agenda to have it addressed.

President McCarthy-Johnson – That is a matter that would involve the Code Enforcement Office and the Code Director to address that issue.

Mr. Shattuck – Last week I included in everyone's packet the model language for the Foreclosure Property Registry that was recommended by the Code Director, Dan Friedson. This model holds big banks accountable for maintaining foreclosed properties.

All voted in favor of the motion. Motion carried.

Mr. Shattuck – Should we make a motion for the letters of support?

President McCarthy-Johnson – Yes, can you make that motion?

Motion: Mr. Shattuck would draft a letter of support for the Redevelopment Authority application for CITF funds for the train station with the condition that the WCDC issues a letter of support for our application for the Ardmore Blvd Corridor.

Moved: Mr. Shattuck

Second: Ms. Trice

All voted in favor of the motion. Motion carried.

Abstain: Ms. Grannemann and Ms. Garrett

OLD BUSINESS

President McCarthy-Johnson – Reminder regarding the new committees. I ask that all chairs to get their meeting dates in to have the meeting dates advertised. All reports due for the first meeting in April. Anything that needs done we can follow up on the legislative meeting. If this works out, then we can move to eliminate the third meeting of the month. Public Safety Committee to meet every other month.

The Hiring Committee and Personnel Committee needs to meet regularly due to the current issues that we have. And of course, the Finance Committee needs to meet more regularly.

Ms. Moore – Yes, we will meet once a month.

Amanda Ford, Borough Manager – Madame President, once all the committees get me their preferred dates to advertise I will also have the information placed on the website.

President McCarthy-Johnson - Thank you, and can you also get the website updated as soon as possible. The authorities, boards and commissions are not listed.

Mr. Taiani – Madame President I would like to take this opportunity to thank Public Works for finally changing the signs on Kelly Avenue.

NEW BUSINESS

President McCarthy-Johnson – lately, we have been having issues retaining cleaning companies that we have contracted. My suggestion is that we look at having employees to do our cleaning versus contracting the services out. There are bonding issues to clean the police department area.

Mr. Taiani – I attended the School District’s meeting regarding renovations held by the Community Buildings and Grounds Committee. They have approximately 6 ½ million dollars left from their bonds that they were required to use. They decided to invest the funds into the elementary schools and took additional bonds out because they learned that they did not have enough funds for the renovations. They intend to spend \$10 million dollars on Kelly and Turner Schools; \$5 million each. They are going to look at security; improve the interior and exterior and bring the buildings up to code. The architect indicated that he would come to a council meeting and update us on the plans. School District asked that we formally make the request so that we would be able to assist with some of the plans regarding traffic problems and the signs.

President McCarthy-Johnson – I also attended one of the meetings and the architect presented a model of the improved renovations. It was also stated that renovation for the high school would be at least \$100 million dollars to renovate and bring to code all through grant funding. The iPad distributed to the elementary schools aided in increasing their test score, which is good news.

Ms. Ford, if you would prepare a letter to the Superintendent requesting the architects to come and present to council the new plans.

Ms. Garrett – Three items for discussion: One announcement regarding the email from Allegheny League of Municipalities (ALOM) that we have been selected for the Banner Community as a distinguished municipality. Secondly, municipal intern’s application is due next week for the Local Government Academy. And last, I attended the Gateway Design meeting. Thursday, February 19th the Wilkesburg Arts Commission and the WCDC were hosting a public meeting regarding the Gateway sign. Today they met with stakeholders, commissioners, community leaders, borough officials. Due to the lack of participation from the community and council, the meeting has been cancelled and any plans for the Gateway sign has been placed on hold due to negative response from lack of input from council and the community.

Borough Manager – Madame President, two reminders for Council. One the COG Annual Dinner is held on February 27, 2015. I will submit R.S.V.P. for anyone who would like to attend. Also, anyone interested in the ALOM Spring Conference, I will submit all R.S.V.P. to the finance office to reserve with ALOM. And last a motion for the Penn DOT paving project for June 2015.

Motion to permit Penn DOT’s contractor to perform milling and paving operations on Penn Avenue between the busway and the Borough line near Wendy’s between the hours of 8 p.m. – 6 a.m. beginning June 8, 2015. Thereby, granting them an exception to local noise ordinances.

Moved: Ms. Macklin

Second: Ms. Garrett

All voted in favor of the motion. Motion carried.

Mr. Shattuck – One item under New Business. At the Capital Planning meeting we discussed the application of the Keystone Reservation Funding for architectural and engineering studies for Eastridge facility. This funding does not look feasible and no resolution is required. But, we would like to seek what we can as long as we have Council’s approval. The goal is to go after any opportunity.

Mr. Taiani – Perhaps Ms. Ford can check into Pennwood Avenue the railway wall has serious deterioration along the exterior. Contact Conrail regarding the wall issue and secure some funding for the repairs for the wall. Rolling-Connector as well.

President McCarthy-Johnson – We’ve had issues in the past with the railroad. And we have just made inroads with them and have reunited with the railroad companies regarding the touses on Penn Avenue.

Mr. Shattuck – I provided an email to Amanda regarding the railroads touses. It’s not on the agenda. But they have a desire for us to approve the agreement. We need a motion on that tonight to continue moving forward. The solicitor has reviewed it and

Solicitor – Michael Witherel - The railroad agreement has setup a payment whereas, they want to make sure that they get paid \$59,000 in engineering and flagging fees. They want to do their

own flagging and my concern is that I wanted Council to be aware that there is a financial responsibility that we are taking upon to them. The agreement is to keep the process moving forward.

Moved: Mr.Taiani

Second: Ms. Macklin

All voted in favor of the motion. Motion Carried.

PUBLIC COMMENT

1. *Yvette Glover – 807 Wallace Avenue Hosanna House, SRS Group/Administrator –* Requested a letter of support from Council for a Job Development Training Program. Funding is received from the state and federal government.
 - Looking to help At Risk Individuals for employment opportunity.
2. *Denise Edwards – 118 Peebles Street-* I appreciate Council’s frustration with Norfolk Sothern and Conrail Railroads. Limited success on repairs for the South Avenue tousel for minor repairs. And the other issue I have is the Peebles sign that was incorrectly spelled.
 - Borough Manager - Sign has already been corrected and ordered.
3. *Adnan Ahmed – 747 South Avenue –* Announced an event of Religious Founder Day – presentation from various religious leaders, scheduled for February 28, 2015 at 1:00 p.m.

President McCarthy-Johnson – Announced Council will move into a brief executive session at 8:49 p.m.

Returned from executive session – no action taken meeting adjourned.

ADJOURNMENT

Being no further business the meeting was adjourned at approximately 9:15 P.M.

Vanessa McCarthy-Johnson
President of Council

