

## **APRIL 18, 2011 COUNCIL MEETING MINUTES**

The April 18, 2011 Council Meeting was called to order at 7:30 P.M. in Council Chambers at the Municipal Building. Mayor Anthony DeLuca presiding.

### **APPROVAL OF AGENDA ITEMS**

Mayor DeLuca called meeting to order. Mayor announced Appointments to be taken off Agenda and the rest will stand as presented. Will you please stand for the Pledge of Allegiance.

### **PLEDGE OF ALLEGIANCE**

Council and the audience stood for the Pledge of Allegiance.

### **ROLL CALL**

**Present:** Mr. Palumbo  
Mr. Underwood  
Mayor DeLuca  
Dr. Kincaid  
Mrs. Kuhn

Also present were: Planning Director Davidson, Finance Director Schrecengost, Solicitor Brimmeier and Manager's Secretary Sorce.

### **CITIZEN'S TO ADDRESS COUNCIL:**

First up is Mr. Ray Lunger who will introduce our presenters tonight.

Mr. Lunger –Good evening Mayor, Council, Staff, we are here to represent the Penn Hills Community Development Corporation specifically the Economic Development Committee and I would like to introduce four Carnegie Mellon University Graduates students who have worked on a project associated with our Penn Hills Shopping Center namely Storm Water – how to mitigate flooding on Rodi Road and alternative uses for Vanity Fair Site. The four students are Chuan Ding, Eric Henery, Sharanya Srinivasan, Kryn Hoyer-Winfield.

Students discussed Penn Hills Shopping Center – Vanity Fair Site – A large space to fill, has a distinctive layout, big box reuse examples, mixed-use model, business opportunities – also talked about Rodi Road Storm Water issue – low impact development, storm water management techniques – rain barrel implementation targeted solutions – landscape – parking lot filter strips, bioswales and filter strips, pervious pavement – ordinances – planning regulations – storm barrel - a financial

benefactor – government grants and conclusion – optimizing your time. A copy of presentation is available upon request.

Mayor – thanked presenters.

### **APPROVAL OF MINUTES**

Mr. Underwood made a motion to approve Minutes of April 4, 2011.

Dr. Kincaid seconded the motion.

Mrs. Kuhn abstained from vote, she was not present. There being no further discussion the motion was approved by a 4-0 vote.

### **EXPENDITURES**

#### **APPROVAL OF WARRANT**

Dr. Kincaid made a motion to approve the Master Expenditures Summary dated April 18, 2011 – Journal Vouchers – 0 - \$0.00, C.D. Requisitions – 7 - \$6,249.50 – EECBG Requisitions – 0 - \$0.00 – Checks Numbering 17482 – 17596 - \$637,419.45- making a grand total of \$643,668.95.

Mr. Underwood seconded the motion.

Mickey O'Connor – 1095 Maple Avenue – Check 17583 – Page 11 – which deals with the Fire Department Allocation Checks – On behalf of my fire station and I am sure of the other six we appreciate the continuing support of the fire departments as you know we all need it. The only other thing I am requesting is we go back to the old way of releasing these checks. Before when they were approved at a meeting Finance Department went ahead and mailed them out. Now we have to wait until Moe calls us up and we have to go in and sign for the check. A little cumbersome and I don't know why we are doing it that way. We had no problem the old way.

Mayor DeLuca – when the Manager gets back I will ask him, but Ed can we get the checks out once we approve the Expenditures. Ed replied yes. Mayor DeLuca - then I will talk to Moe and find out why he went to that system. Alright.

There being no further discussion the motion was approved by a 5-0 vote.

### **RESOLUTIONS**

Mr. Underwood made a motion to approve **Resolution No. 2011-027** awarding a Contract to Reinhart Food Service, Inc. for providing Food Products for the Home Delivered Meals Program in an amount not to exceed \$40,000.00.

Mr. Palumbo seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

Mrs. Kuhn made a motion to approve **Resolution No. 2011-028** authorizing the Municipality of Penn Hills to enter into a Lease Agreement with The Lincoln Park Community Center for space for The Penn Hills Satellite Library.

Dr. Kincaid seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

Mrs. Kuhn made a motion to approve **Resolution No. 2011-029** authorizing the execution of a Highway Occupancy Permit for various Storm Sewer Facilities in the Saltsburg Road State Right of Way, and further authorizing the execution of an agreement between The Municipality of Penn Hills and Wal-Mart to facilitate the maintenance of these facilities.

Dr. Kincaid seconded the motion.

Mrs. Kuhn – Mr. Mayor I just don't know how much of the background that the audience has on this but this is once again similar I am assuming to the situation that we had with the Traffic Light at Maple Lane. Penn Dot will not give it to the developer being that it is in the Municipality. Penn Hills has to be the one who does the application. And with this agreement that we have here, Wal-Mart is more or less and it is very detailed and I won't go through all of it, but I do have some questions on some of it. What it is in essence is Wal-Mart is saying even though Penn Hills, the Municipality has to be the one who asks for the application they in fact are going to be the ones who are paying for all the maintenance and for the installation, is this correct?

Mayor DeLuca – what is happening here is Penn Dot is requiring Wal-Mart to install new inlets and then once they build them, Penn Dot wanted the Municipality to take it over and we weren't going to take it over even though it is on a State Road so Wal-Mart is going to pay for the upkeep. Mrs. Kuhn – Howard and I am assuming that your department put this together so being that Moe is not here, Mr. Mayor is it alright if I address it to Howard? Mayor replied yes. Mrs. Kuhn – the only thing I have Howard is when there is an agreement of this magnitude and this is quite a detailed agreement my concern is that the taxpayers of Penn Hills are not paying any cost for Wal-Mart to come into Penn Hills and I know that is what the essence of this is. But if you look on page two Howard the one question I have on the second whereas – it has the Municipality has agreed to execute and submit the Municipality Highway Occupancy Permit Application for the facilities provided that Wal-Mart reimburses the Municipality for its reasonable costs, now that is a little bit of a concern for me because of the fact who is going to determine what reasonable is? Howard – in this case it is all. Mrs. Kuhn – but it is not saying all it is saying reasonable costs. The only thing is I am looking down the road if something comes up and they come up and say we don't feel that is a

reasonable cost. Do you see what I am saying? Howard – I see, I am sorry, I think there is a language to that further on and the applicant is here and he can answer. I think there is some language further on if there is a dispute between us and Wal-Mart if something is reasonable or not, is that correct?

Alex Lipinski – Wal-Mart Engineer – Basically what that language is saying is there are eight inlets that are going to go in on Reiter Road and there are about 15 that are going to go on in front of the sight on Saltsburg . So is you have to come in and clean an inlet let's say we are asking that we understand upfront what the costs are so we are not getting a bill for \$10,000 to clean it. So it would be something we would have to come to a mutual agreement on before there is any maintenance on that. Bonnie Brimmeier – that is not what this says. Mrs. Kuhn – which goes further on what you are addressing and I do have a question on that also. But this is on page two. Bonnie Brimmeier – if I could make a suggestion, because I have some things that I think need to be changed on here too perhaps you and I or whomever would be the appropriate person from Wal-Mart could sit down and go over some of these things because if that is what you think this says that is not what it says. Mr. Lipinski – sure. Mrs. Kuhn – so then that way you will know what my concerns are that are on page two the second whereas when it has reasonable costs, and that is my concern the terminology of reasonable and then on page three #4 - Wal-Mart shall have 30 days from and after the receipt of the repair Cost Estimate to accept or reject such estimate provided that any failure to respond to the Repair Cost Estimate within such 30-day period shall be deemed to be a rejection. So my question is if we give you Wal-Mart a bill and if you do not respond to it within 30 days is that stating then that Wal-Mart has rejected the bill and then do we have to go into some type of discussion on that bill? Bonnie Brimmeier – that is what that means and that is one of the things I want to address because I think that is certainly fine if they want to have that right but I think it needs to go into a situation where if they reject it and we don't come to some other agreement within a certain time period that then they are obligated to come in and do it. There are some things that we need to work out. Mrs. Kuhn – the other is on page 4 – if Wal-Mart rejects (or is deemed to reject) the Repair Cost Estimate the Municipality will work in good faith with Wal-Mart to agree upon a modified Repair Cost Estimate acceptable to Wal-Mart. So that is another that I would like to have defined. And on Page four # 6 pertaining to Wal-Mart will not be obligated to reimburse the Municipality for any Maintenance Costs, Repair Costs or Emergency Costs to the extent that the same are caused, in whole or in part, by the actions, omissions or willful misconduct of the Municipality or its designated representatives or employees. I am assuming Bonnie that means if we caused the problems then it is the Municipalities obligation and not Wal-Mart but I guess what I am asking how would that be determined who caused the problem? Bonnie – Well there would have to be an investigation to determine something that we did and it would be between the parties we would have to determine. Mrs. Kuhn – these are just some of the clarifications that I was just concerned about. Mr. Lipinski – Understood, what I would request is if you so choose to approve the Resolution conditioned on your solicitors approval. Bonnie – does this have to be done this evening? Is there a time deadline? Mr. Lipinski – we just

need to get our HOP submitted, we are working on the HOP and we anticipate submission soon. Howard Davidson – how about two weeks? Bonnie – yes, they will meet again in two weeks, is that O.K. Mrs. Kuhn – I don't want to cause a delay for you, is the two week period o.k., I would just like some clarifications. Mr. Lipinski – O.K. Mayor DeLuca – then what we will do is Table it for tonight. Is there a motion to Table it. Dr. Kincaid made first motion to table it. Mr. Underwood seconded the motion to table.

There being no further discussion the motion was tabled with a 5-0 vote.

## **MOTION**

Dr. Kincaid made a motion to authorize the Manager or his Designee to advertise and dispose of bids for the sale of obsolete and outmoded equipment and/or vehicles.

Mr. Underwood seconded the motion.

There being no further discussion the motion was approved by a 5-0 vote.

Mayor DeLuca made a motion to withdraw the bid award on Old Hulton Road Culvert Demolition and Replacement and award the bid to the next lowest bidder, Pampeana Landscaping and Construction for a total bid of \$62,975.00.

Mr. Underwood seconded the motion.

Don Sanker, 780 Long Road – what is the reason the original bid is being rejected, what is the reason the second highest bidder is being accepted? Bonnie – The lowest bidder did not submit the paperwork that they were suppose to submit to us after the bid was accepted and awarded and we cannot proceed with it without the necessary paperwork so we are rejecting it and going to move to the second bidder. Mr. Sanker – have they been given the appropriate time – Bonnie – yes – Mr. Sanker – Thank you.

There being no further discussion the motion was approved by a 5-0 vote.

## **REPORTS**

Dr. Kincaid – I just want to report briefly on the Crime Watch meeting that was held on 4-12-11 at Laketon Heights United Methodist Church with Officer Trogler leading that Crime Watch Meeting. It was in conjunction with the Spaghetti Dinner held for Teesa Williams Memorial and in essence nearly 100 people attended in all and it was a very productive night and it was what I hope to be the first of several other Crime Watch Meetings in our Community as the summer unfolds. Several of the people there expressed that desire and they were primarily from that part of the Community but did

express they would attend others if there were others in different parts of Penn Hills.  
Thank you.

## **DISCUSSION SESSION**

Howard Davidson - just handed to all of you a memo on EECBG – Contract Options. I would like to go over this memo with you. I need your direction on how to set up Resolutions for next Council Meeting to award Contracts. I think the news is relatively good news. We got good bids on all the projects. If you remember a few weeks ago, I gave you a preview that we would only be able to afford to do two of the three projects. I think that the bottom line is that we might be able to do 2-1/2 and maybe with a long shot possibility do all of them. Let me go down the memo with you. We got a good bid on the boiler - \$61,000, Traffic Signals – the ten intersections that were in the bid - \$48,000 – Lighting for the Municipal Building, Senior Center, McKinley, Volk and the Plum Creek Plant was \$67,000 – totaling \$177,000. We don't have a \$177,000 but that is the total of the three. If we wanted to do all of the work, we need to get \$53,000 somewhere. First thing we looked at which is a good possibility is to use CD money for the Senior Citizen Center and McKinley and we could do that and pick up \$15,000 of CD money to do those two buildings. You have CD money allocated for improvements for those two buildings, all the federal requirements that are in an EECBG bid are the same type of language that are in a CD Bid so we don't have to do new engineering and rebid and all that. I am saying we can just go ahead and use the CD money and use it for this purpose. If we do all the lighting work there is \$9,000 in rebates. To get all the rebates you have to do all the work. So that is 24,000 we would pick up there. So we are down to the point where we have to deduct \$28,000 worth of work. We can't afford \$28,000 worth of work and I assuming you are not ready to walk down Rodi and borrow some money from the bank to do this, although if you think about it, it is a possibility. I would do it if it were my house. I gave you three options here. Option I would be to cut the traffic light program in half to do five of the ten intersections and I listed the intersections that we would do and the total cost there would be \$20,000 in intersections. And by the way I set this up to keep us in the order of \$8,000 in contingencies because we are dealing with three contracts here, just my experience and your own experience you know we need that cushion because we don't want to use local money, we want to have the grant money available for that. So Option I is to cut half of the traffic lights.

If you go to the next page, Option 2 would be to drop the Municipal Building from the buildings to receive the new lighting fixtures. The Municipal Building costs \$34,000. We would add all the intersections, do all the traffic signals and you see the numbers there - \$177,000 minus \$34,000 takes us down to \$143,000 and we use the available \$124,000 of EECBG money, we use \$15,000 of CD Money and I dropped the rebates down from \$9,000 to \$3,000, now why did I do that, because if we don't install all of the lights we are not going to get all the rebates. So that number drops and our contingency account there drops a little bit down to \$7,500.

Option 3 – find a way to do all the work. I don't have the answers for it, except to say that we have \$124,000 of EECBG Money, \$15,000 CD, \$9,000 Rebates, if we could find \$28,000 in the Capital Budget or the Operating Budget it would be Eddie pulling out his magic wand and saying well we are not going to be doing this project or delay that project or we are going to borrow from this one and repay it next year or something like that. Option 3 involves that kind of crafting and it would be let's just do all the work. The only reason to say let's do all the work is the only way to receive all the annual energy savings is to do all the work. I need your opinions on which options.

Mayor DeLuca - let me ask you this. Out of Traffic Lights and Lighting for the buildings which would the Municipality have the greatest cost savings?

Howard Davidson – I am sorry; I should give our recommendation there. Our recommendation is to do all of the street lights. Mayor DeLuca – street lights or traffic lights. Howard Davidson – all the Traffic Lights. Again when you don't do the lighting in the buildings you don't get the rebate money, so your rebate money is less but the engineers have put a slightly larger number on the energy savings, it is so close, I will give you an example, they are around \$17,000. \$16,900 I believe was the number on both. Both the Traffic Lights and the Municipal Building Lighting save us \$17,000 a year in electricity. So, we are saying if we do all the lighting for the buildings we get the maximum back on rebates, but yet the numbers were slightly higher on the intersections, it is such a close call you can almost toss a coin. The traffic signals have a little bit of visibility in terms of the community, people drive by they will see the intersections they will see the LED bulbs and it might be something that you might want to show. But in terms of money savings they are almost the same.

Mayor DeLuca – I think I mentioned at the last meeting I guess Duquesne Light is going to be implementing these smart meters then I guess they are going to start charging peak hours and then off peak hours.

Howard Davidson – we may want to meet with them and I even talked to Tom O'Grady about the treatment plant. I was trying to think of what we do in this Municipality if we could operate on off peak hours and negotiate for smaller rates and quite frankly it is not like we are an industry where we can crank up our production during the mid-night hour and benefit from a lower rate. I can't think of anything along those lines and certainly a traffic light at an intersection you might be able to do certain things like the police sometimes will have a flashing yellow light and a flashing red light at 4:00 in the morning. Mayor DeLuca – I don't know if they are going to do that or if they are just going to do a study like they do with the street lights and just say hey this is what you used during the peak hours and this is what we are going to charge you. Howard Davidson – I think what it means is that if you are a major energy user and if you can use your energy in off-peak hours you have the possibility of buying it at a lower rate. Which is an interesting thing to look at but I don't see it in terms of these three projects. We have to light the Municipal Building Council Chambers when we have a Council Meeting and we can't choose to light it up at 4:00 in the morning and

turn the lights off right now. Mayor DeLuca – No but if we do the lights in the Municipal Building it will save us energy and we will be charged less during the peak hours than we would with the bulbs. Howard Davidson – oh I see what you are getting at. Mayor DeLuca – If this is the way that Duquesne Light is going to end up going then we need to know. Howard Davidson – I could ask Howard Burton that question between now and the next council meeting, for example can you see is there a lower use of traffic lights at intersections at off-peak hours and that sort of thing. My guess is that it is going to be a small number. I think it is more important if you save \$17,000 a year from a 67,000 project that is 3.5 year payback, the smart thing to do is everything. It is smart to find a way to do everything, because of the energy savings will pay us back. Now I am not saying that Eddie has a magic wand over there and we could just pick a capital project easily and say we are not going to do it but I think we ought to look at it. If you want my recommendation, it is Option 3. If you want it from me find a way to do Option 3. Sara Kuhn – Howard you have to find a way. And that is easy to say that is your recommendation, but that is because of the fact you are recommending it but you don't have a plan on where we would be getting the \$28,000. Howard Davidson – I would need Eddie and Moe to tell me what Capital Projects we are not going to do and which ones have money. Sara Kuhn – right because naturally everybody would like to do all of them but the thing of it is \$28,825 you have to have a plan on where that is going to be and I mean I know when we did the Budget we pretty much cut the Budget to where there is nothing there so I mean it is fine to say that would be your recommendation but then you would have to follow that up. Howard Davidson – I would recommend borrowing. I am serious when I say it though because it is a 3-1/2 year pay back. Mayor DeLuca – the way I am thinking right now until we get the rest of the money I would go with Option I and that does all the lighting projects in the buildings and half of the intersections. Sara Kuhn – there is no question that the boiler has to be done. That is not even a question. So what we are questioning is the lighting projects in the building and the traffic lights and based on what you had stated Mayor about Duquesne Light doing this I think the traffic lights will probably have it. I think because of the fact I just don't see that we have \$28,000 because I know what we had to do to cut the Budget. Howard Davidson – so you are in favor of cutting half of the intersections on the traffic lights but do the buildings. Sara Kuhn – yes, I think that would be the best of the Options. Ed, do you think Howard Burton has some money somewhere that he could give me to save his traffic lights. Sara Kuhn – We are not eliminating the traffic lights Howard. Howard Davidson – we are eliminating half of them that is all. Mayor DeLuca – you are talking about five intersections. Howard Davidson – the bid was for ten. We are eliminating half of them. Mrs. Kuhn – Well really and truthfully then those questions should have been asked to Eddie and the Manager and Chief Burton before these options came to us. Howard Davidson – In fairness to them. I asked them all. I went to Department Directors first and I got the standard answer that you would expect they don't have the money, they can't afford to give up their Operating Budgets and they don't have a Capital Project that they don't need the money for. I went to them already and asked. I asked at our last staff meeting. Mrs. Kuhn – well then that has already been answered, that question has been asked and answered.

Mayor DeLuca – I would say Option I, that is the way we go. Howard Davidson – O.K.

## **PUBLIC COMMENT**

Jim Carnahan – 201 Jefferson Road – Talking about this lighting Howard, it has been brought up at every Advisory Council Meeting at the Senior Center for the last four or five months. In fact the last one we had last week they brought it up to Ron, what is the date for that, when is that expected to be done? And why is it being done? They put those cubicles in there and put all new lighting up there. Howard Davidson – Ron has not been involved in this EECBG Project, this is just an energy saving project that we are looking at changing light fixtures to save energy. Jim Carnahan – O.k. but it came up that they were running out of fluorescent tubes and Ron said we are still waiting for an answer for this, when are they are going to do this? Howard Davidson – well probably Ron is probably reacting to that we told people not to invest money into your old light fixtures because we are getting ready to replace them. If he said they are running out of fluorescent tubes that is a good sign right now. That's a good thing. Jim Carnahan – what do you mean that is a good thing? – Howard Davidson – because we don't want to leave old light bulbs around that we don't plan on using. We are getting new fixtures that won't take those old fluorescent bulbs. Mayor DeLuca – yes we are upgrading. Jim Carnahan – we are getting all new light fixtures in the Senior Center. Howard Davidson – we are awarding contracts in two weeks. Jim Carnahan – two weeks, I can tell them that. Howard Davidson – I think so, I don't want to vote before Council votes, but that is what we are talking about here tonight. Jim Carnahan – yes, I know I just heard it. But Ron told them if you need fluorescent tubes do not order cases and cases just order enough. Howard Davidson – Just tell him to call Mike up here at the Municipal Building if they need some tubes because we have some here in the building so we can start sharing. Just tell him to call me. Jim Carnahan – O.K. thank you.

Mayor DeLuca – Don Sanker – 780 Long Road – a couple of weeks ago, maybe a month ago you passed a Resolution awarding a contract for the maintenance of all of the traffic lights in Penn Hills, in the area of \$25, \$30,000.00. This evening you were discussing the Wal-Mart situation where they would be responsible for the maintenance of the street lights or the traffic lights, is that what I heard? Mayor DeLuca – No. Howard Davidson – Storm Sewers. Don Sanker – only storm sewers, I thought I heard something about traffic lights. Mayor DeLuca – no it is the storm sewers. Don Sanker – just the storm sewers, Bonnie Brimmeier – yes. Don Sanker – because I was hoping that they would be taking care of the maintenance of the traffic lights that they are required to install since no Penn Hills tax dollars are going to be involved. Sara Kuhn – well Penn Dot makes them put the traffic lights in. Don Sanker – We are not going to pay for them, they are going to pay for them but eventually we are going to be required to pay for the maintenance. Mrs. Kuhn - If Penn Dot approves a light anywhere Don the Municipality pays. Howard Davidson – we pay for the maintenance of all traffic lights in

our community. All communities pay for the maintenance of traffic lights. Don Sanker – O.K. thank you.

Mickey O’Conner – 1095 Maple Avenue – three things I want to talk about. Traffic Signal upgrades – I can vaguely remember five or six years ago we went through this study. One of the recommendations was to meter your signals. Right now Duquesne Light counts light bulbs this is how much you are going to use this is how much you are going to pay. There are no meters on them. The suggestion was to meter them. That way you could control the cost of your energy. Mayor DeLuca – that would be nice if we could afford it because Duquesne Light wants us to probably pay for them, if we wanted meters, they want you to pay for them. Mickey O’Conner – I think if you tell them to put a meter on they will put a meter on. Mayor DeLuca – No because we were talking about the light bulbs, just unscrewing a couple and not charging us and they wanted to take the whole fixture down. Mickey O’Connor – that is street lights, I am talking about traffic signals. Mayor DeLuca – I am saying if they are not going to do it for street lights I doubt that they are going to do it for free for the traffic signals. Mickey O’Connor – half of your signals out there right now have metered boxes on them, there are no meters. Howard Davidson – when was the study Mickey? You said about five years ago. Mickey O’Connor – we did this when I was in Purchasing. Howard Davidson – you did the study, what did it say? Mickey O’Connor – somebody else did it. Howard Davidson – did they say it was worth putting the meters in? Mickey O’Connor - yes, because instead of Duquesne Light just saying you got that many bulbs and calculate the usage on them, I doubt if it is still around they probably threw it away, but the firm that did the study said you probably ought to put meters on. Since then any signal that has been put in even your school crossing meters all have a meter socket there. Mickey O’Connor – 2<sup>nd</sup> thing – Sycamore Drive – Oakmont Water Authority is putting a water line on Sycamore Drive. I don’t know what the street opening permit inquired, I am hoping it is half a lane paving to cover what they are digging up, I am thinking it might be advantageous for Moe to get together with Oakmont Water and see if they come to an intergovernmental agreement to pave the whole stinking street while they are in there paving. It is a highly used traffic area on Sycamore that would probably be dollars well spent. I forget what the third thing is it must not have been important. Thank you.

Mayor DeLuca – Thank you. Any other comments.

Jim Beck –Datura Drive – I wanted to revisit the issue that we were first talking about with attracting new business to the shopping center. First off and am I correct in saying that First City is the establishment that owns the plaza there. Howard Davidson – they manage it. Jim Beck – if I were a business owner looking for a place to open up shop when I look at the shopping center it looks terribly dated to me and I guess I would say does First City have anything on their agenda to say there is going to be façade improvements or it is going to be painted or is there anything in the works on that level to make it more pleasing. As you have said Sara a lot of those spots are blessed to

maintain business and stay open and attract customers but one example I can think of is Morgan's Restaurant which I have actually started to frequent a lot and I enjoy it. I think the food is good I think it is a nice place to go it is a bit unique that there is a lot of music but when I look around it looks like the last time it was decorated was 1975. So much could really be improved by facade improvements that would really say this is a vibrant place we could attract people into these establishments if it looked a little bit better. Howard Davidson – by the way if it means anything I am pretty sure that Morgan's is independent out parcel not managed by First City. I am not certain of that but Don do you know, he is a regular customer. They do not own that building they rent that building. I can ask Sue when I go back there tonight, but when you said 1975 I say it was 1965. Mayor DeLuca – Howard we did talk to them one time about trying to improve. Howard Davidson – I know that Don Martin, First City Management Company, have x amount of dollars every year for improvements, one year he spent it on landscaping, introduced some trees into the shopping center that I think it is just a drop in the bucket, but I think he is pretty proud of those trees that he planted, another year it might be sidewalks, another year it might be parking lot improvements. Bottom line is we have our property maintenance code, we don't control when a business decides to upgrade and remodel, I think customers do. I think it would go a long way for you to tell Sue Lapiani how you feel next time you are having a meal down there. Friendly way, tell the owner. Even renters can influence landlords sometimes whether a building is remodeled or not. We agree with you. Jim – I am not just talking about Morgan's, I am talking about the whole shopping center, when was the last time it was remodeled. Howard Davidson – I don't know if you remember the canopies were about 15 years ago, that sort of thing. It is an old shopping center no doubt about it. The Mayor told me before can't we start over. Mayor DeLuca – are there any other comments?

### **ADJOURNMENT**

Mayor DeLuca entertained motion to adjourn.

Dr. Kincaid made a motion to adjourn.

Mr. Underwood seconded the motion.

Meeting adjourned at 9:00 P.M.

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MAUREEN M. SORCE  
MANAGER'S SECRETARY

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DATE

