

## **APRIL 2, 2018 COUNCIL MEETING MINUTES**

Mayor Kuhn - Now Maureen we are having some difficulties with our recorders so are we to just speak into our microphones and not hit any buttons?

Maureen Sorce - That is correct.

Mayor Kuhn - O.K. Thank you. Before calling this meeting to order I do want to acknowledge that I held an Executive Meeting this afternoon at 1:00 with Mayor & Council, the Manager and the Solicitor for legal questions and personnel so I did want to bring that to the attention of the audience. That being said the Agenda will stand as approved and if you could all rise for the Pledge of Allegiance.

### **APPROVAL OF AGENDA ITEMS**

Mayor Kuhn - The Agenda will stand as presented.

### **PLEDGE OF ALLEGIANCE**

All stood for the Pledge of Allegiance.

### **ROLL CALL**

Mr. Brodnicki  
Mrs. Sapp  
Mr. Underwood  
Mr. Petrucci  
Mayor Kuhn

Also attending were Sorce, Manager's Secretary, Blackwell, Planning Director, Solicitor Alexander and Schrecengost, Finance Director.

### **PUBLIC HEARING**

Mayor Kuhn - Our first item on the Agenda is to hold a Public Hearing and the Public Hearing is going to be in regards to discussing the transfer of a Pennsylvania Liquor Control Board License No. R-10294 to 4350 Verona Road. Do we have the applicant? If you could give your name and address I would appreciate it.

Malcom Snyder - 710 Gramac Lane

Craig Alexander - With regards to the Public Hearing we actually had a portion of the hearing at the last Council Meeting and recessed the Public Hearing until this evening. We are through with the public comments portion of the Public Hearing and

we in the board comments and there were a few questions that the board had for the applicant. That is where we are at now.

Mayor Kuhn - O.K. with that explanation I do have a question to the Solicitor. Being that the Agenda is representing this under the title of Public Hearing and being that there could be different people in the audience that were in the audience at the last meeting are you saying that I am not to call for Public Hearing.

Craig Alexander - It is a Public Hearing.

Mayor Kuhn - I am sorry I mean for Public Comments.

Craig Alexander - That is your call.

Mayor Kuhn - O.K. I feel that being that the residents are here and if they weren't here at the last one then this is considered a Public Hearing on this subject I believe that we should go ahead and have any Public Comments from this audience that is seated tonight. Now I don't have to ask for a Motion or bring it off the table?

Craig Alexander - We just recessed.

Mayor Kuhn - We just recessed and we are now back on the page of continuing the Public Hearing. So that being said if there is anything that you would like to present or if you want to wait until there are any comments from the audience we can do it that way.

Malcom Snyder - Either way. I will wait until after the comments.

Mayor Kuhn - Alright well we will proceed and if there are any comments from the audience regarding the Public Hearing on this transfer of this liquor license. If there is please come to the Podium and give your name and address.

Rich Phipps - 170 Selvin Drive -

Mayor Kuhn - O.K. do you just want to express your concerns or if you are in favor of or if you are not in favor of if you could just give us why you are wanting to voice an opinion on this.

Rich Phipps - To Council I have one brief thing to say about this. The area where the proposed license is to be transferred to already contains three liquor licenses to my knowledge. One being discussed here is to be directly across the road from an existing liquor license. I don't think it is conducive to have four liquor licenses within that small area. We are not talking about a big area like down in the City or somewhere but here we are walking out of one bar right across the street to the other. I don't think Penn Hills is ready for that. I have nothing against the people who want to put their

business together but I think in yield of the number of liquor licenses existing that it would be a bad idea to put another liquor license there. That is my only concern. We get bad rap here in Penn Hills now and I am not saying that is bringing bad people here but I am saying when you have that many liquor licenses in an area like that it is a recipe for problems. That is my opposition to having that liquor license transferred. We need to keep Penn Hills, I have been here forty years by the way and I am too old to move.

Mayor Kuhn - We would not want you to move no matter what your age.

Rich Phipps - So I hope you will take my consideration for not transferring the liquor license so we don't have an over population of taverns. Thank you.

Mayor Kuhn - Thank you very much. I appreciate your concerns. Is there any other comments?

Melissa Waldron - 342 Iris Drive -

Craig Alexander - Could you please spell your last name?

Melissa Waldron - WALDRON - St. Patrick's Day my friend had a birthday and we didn't have anywhere to go in Penn Hills for a large group of people. We ended up having dinner at the Lott down in Edgewater. I dropped \$118.00 on dinner and some drinks and then we went down to Pub 333. I dropped another \$50.00 there and then we went to Carnivores' and I dropped another \$50.00 there. I am sure Penn Hills would have loved being dropped that kind of money to them. That is all I want to say. Thank you.

Mayor Kuhn - Thank you. Are there any other comments?

Greg Swatchick - 648 Gramac Lane -

Mayor Kuhn - How are you Greg?

Greg Swatchick - Good. I did make comments last time but since you weren't here I would just like to make sure that I reiterate them for the public record for your sake.

Mayor Kuhn - I appreciate that.

Greg Swatchick - The applicant moved in right adjacent to me right across the road and I don't know him super well because they haven't been here for a long time but from what I can tell he is a very responsible person. Not just as a neighbor but his actions that I personally witness daily so when it comes to his well intentions I can't imagine why that would be scrutinized to the degree to deny this license. I didn't think the

comments from the previous rather two speakers ago referring to density sometimes density creates business competition as well. I don't know necessarily I understand the gentlemen's reasoning but I don't think that should be held against a young businessman's endeavors to sort of clean up an eye sore and a lot of the concerns that Mr. Petrucci brought up last time was storm water and flooding. From the Planning Commission there are all kinds of criteria and rules, regulations this, that and the other thing so I think quite frankly they know that way better than I do so I would say for you to look at that resource. (inaudible) With the right supervision and rules and regulations being followed we sort of have the recipe for how to do such a thing. That is all I have to say. Thank you.

Erin Vecchio - 231 Garlow Drive - Is this a restaurant or is this a bar? In the newspaper it said it was a restaurant.

John Petrucci - The Gentlemen stated that it was going to be a bar/restaurant.

Malcom Snyder - It is a restaurant with a liquor license. Everybody's interpretation is different. I am spending my money, my interpretation of my restaurant is this, it is a restaurant with a license. It is a restaurant with a bar in it. Applebee's has a restaurant with a bar in it.

Erin Vecchio - If you grew up in Penn Hills, Penn Pines, the Fireman's Club. There are so many and now we have no restaurants in Penn Hills anymore. I am encouraging for a restaurant because we need restaurants. I don't know about the liquor license deal but as far as the restaurant I am in all favor of it and anything to improve that area because I am the President of the School Board and we need taxes in this area and we need to figure out how to bring them in. I just hope everybody works together to try and bring businesses back in this area because we definitely need it. Thank you.

Mayor Kuhn - Thank you Erin and for everyone who might not of heard Mrs. Vecchio is the President of our School Board. Just to give some information on the restaurant versus the bar. Once you receive a liquor license if I am not mistaken and I am referring to my solicitor that now allows and permits you to have a bar environment. Am I correct?

Craig Alexander - That is correct. It depends what kind of liquor license it is.

Mayor Kuhn - Well I know what kind of liquor license this is. Why I ask you this is once we vote to have that as a liquor license that liquor license is permitted to stay within the Municipality without having to come before Mayor & Council if they choose to take it to an additional location, am I correct?

Craig Alexander - I don't think that is correct?

Mayor Kuhn - Well let me refresh your memory. O.K. When they were looking for the liquor license at Get Go and when Mayor & Council voted that down it was brought back to Mayor & Council saying that Giant Eagle went and received a liquor license from Penn Hills so being that they received a liquor license within Penn Hills they were able to transfer and not come to Mayor & Council. That is what was the legal statement presented by you to Mayor & Council.

Craig Alexander - That is absolutely correct.

Mayor Kuhn - So that is what I am saying. In essence then once this liquor license is passed and allowed in this area if anyone in Penn Hills would want to open a bar in the area they would be able then to purchase that liquor license without coming before the board.

Craig Alexander - I think that once you establish a liquor license and once he establishes that he no longer wants to be in business then he can sell that liquor license.

Mayor Kuhn - And they do not have to come before Mayor & Council?

Craig Alexander - Correct.

Mayor Kuhn - I just wanted to verify that what was presented to us legally regarding Get Go and even though Mayor & Council turned it down. Once they received a liquor license from within the Municipality Mayor & Council had no say so whatsoever on them purchasing that Liquor license. So in essence once this liquor license would be approved if someone wants to buy that liquor license to put do they have to put a restaurant/bar or does that mean that they can just put a bar. Is there a legal distinction between a restaurant/bar liquor license and a plain bar? Now a bar you can still serve food. Those bars that you go to they still serve food.

Craig Alexander - My understanding is you have to have seating for up to thirty people.

Malcom Synder - That is correct.

Mayor Kuhn - O.K. so as long as they have seating for 30 people then they are permitted to open a bar and have 30 people. I know there used to be a percentage on food sales versus liquor sales, does that no longer in place?

Craig Alexander - I don't think that percentage is in place for food sales versus liquor sales I believe that is if you are allowed to have a smoking establishment.

Mayor Kuhn - Oh O.K. but this was years ago. I just wanted to make sure that once we would approve this anyone in the Municipality would be able to purchase this

from the owner and open a bar/restaurant in any location having 30 seats. What I am asking you is a simple question, I don't want to get into where we are muddying all the water of course they would have to be approved. All they would have to do is to be able to show they have 30 seats for food.

Craig Alexander - Yes.

Malcom Snyder - Can I just say one thing. I could have done that too but I didn't. I came before the board and did it the right way. So I just wanted you to know. I could have done that too.

Mayor Kuhn - Right. I couldn't agree with Mrs. Vecchio more that yes Penn Hills does need a restaurant where you can go with your family for dinner. My only concern on this is the location and the reason I bring that up to the floor is because of the fact many months before you brought this to Mayor & Council the Police and I received numerous, numerous calls and letters of complaints regarding the establishments that are in place at this time. Now like I said it is very hard for someone who wants to bring a well run responsible bar/restaurant into the area to be challenged because of the existing bars. However, it is a very difficult decision because of the fact that we have had noise problems, we have had fights, shootings.

Malcom Snyder - I just want to make a correction on that road. There is only one license on that section of the road. Now there are some social groups I think they have a license but as far as an establishment there is only one license on that road so that section of road there is only one license.

Mayor Kuhn - Well I am addressing the area at this point in time and the problems that we are having and the concerns and complaints of the people that are surrounding that. That is my concern. Am I saying I am not looking for Economic Development, of course I am. I am not saying I am not looking for tax revenue, of course but I have to be the eyes and ears for my residents on what I vote for and I myself don't live near there. I don't know if any Council people do but I have to be concerned about the people that live there and the conditions under which they are living and I have to have some clarification and assurance that these people are not going to contribute to the problems that we already have. Now I am going to have to answer to my residents who are opposing it because of the conditions and situations they are enduring with ones that are there at this time. It is nothing personal. It is not that I don't want Economic Development. It is not that I don't want new establishments so that people come into Penn Hills stay in Penn Hills and don't go Monroeville or Oakmont. It is just that all of these concerns my bottom line is do you live near the establishment? Have you had to put up with what the residents who live there have and that is my concern. This is a Public Hearing and we will vote on it as the last Resolution of tonight. O.K. give me a moment and let this gentleman speak. Are you in the vicinity of this area that we are discussing near the bar/restaurant license that would be transferred to.

Mr. Phipps - I am not in walking distance but I am very, very close. To correct what this gentleman just stated that there is just one establishment there that is not correct. It is not correct to say that there is only once license there.

Malcolm Snyder - (in-audible)

Craig Alexander - You have to speak into the microphone.

Mayor Kuhn - What he is saying is he was making reference to a public establishment and not one that you would have to be a member but what you are stating is whether you can just walk in on your own or if you are a member it is still a facility where this activity can take place.

Malcom Snyder - I just want to say I am a teacher and I work very hard and worked very hard to get where I am. I worked to actually be able to have this and to do it the right way. All I want to do is have something and I live in Penn Hills and I don't live near that area but I have renovated a house right on the corner that is how I found the building. So I just want to do something positive and have something positive. Like the young lady talked about here. I live in Penn Hills and I want to go somewhere and sit down and have something to eat and have a beer too. It is not just one person that feels this way.

Mayor Kuhn - I also feel that way but location, location, location. Is there an particular reason for your choosing that particular place when there is other locations in Penn Hills.

John Petrucci - If you want something in Penn Hills I can get you a real good deal on the gas station down at the bottom of Rodi.

Malcom Snyder - Tanks. I have done this a couple of times.

John Petrucci - I am a big person on Economic Development. If you would have said John I want to put a restaurant down there I don't think anybody on this board would say no but when you are adding liquor to it. I mean this is something especially that corridor down there like the Mayor said we have had some problems down there not saying that you are going to have them but I would prefer that you take Eastwood Inn and just serve food.

Malcom Snyder - There is no parking.

John Petrucci - Does it have to be so big? What kind of food are you going to serve. Let's ask that question.

Malcom Snyder - We have a menu here. It is like fries and burgers and finger foods and salads, fish.

John Petrucci - Are you catering more to like a bar atmosphere or a restaurant atmosphere?

Malcom Snyder - See that is so general. Because your interpretation is not my interpretation of that.

John Petrucci - Someone just brought up Pub 333 that is a restaurant/bar because there food consumption is more than their alcohol.

Malcom Snyder - Ours will be at least 50/50 so that is what I am saying.

Mayor Kuhn - I think what Councilman Petrucci was making reference to is is this going to be considered a restaurant where you go in and you get the menu that you purchase an entire meal with sides and what have you with the order. His reference to like french fries, hot dogs, hamburgers and what have you that more or less

Malcom Snyder - Fish and Salads.

Mayor Kuhn - That is considered more as bar foods, is that what you were trying to get across.

John Petrucci - That is exactly.

Malcom Snyder - You can interpret whatever you want I can give you an interpretation of whatever you want to see. It is how you want to see it. Then that is how you are going to see but that is not how I see it.

Mayor Kuhn - Now you would not consider any other location.

Malcom Snyder - I really like that location. And there is a reason why. I mean right where it is the access is great, Allegheny River Blvd, Frankstown Road. It is just accessible from everywhere. You don't have to be in Penn Hills. That is one reason I picked that place. If I would tell what I am getting the building for, I am getting a really good deal on that size building which I am not going to find anywhere else.

Mayor Kuhn - But the comment that you made is just one of the concerns because of the location. We have so many serious problems because of the corridor that is and I am not trying to defame our surrounding communities but because of the drug trafficking from Homewood into Penn Hills, Wilkinsburg into Penn Hills we have a beautiful Giant Eagle which I go to because it is wonderfully clean in that area but there is also a constant drug trafficking in that area. There are people from different

communities coming in to buy and sell so we are only concerned because of the fact the history of that area.

Malcom Snyder - Well that has nothing to do with me.

Mayor Kuhn - Well that is because of the fact

Malcom Snyder - I don't do that.

Mayor Kuhn - No one is saying you are what I am saying is the people down there are making money.

Malcom Snyder - Well I don't make money like that so

Mayor Kuhn - No, No I am not saying you do all I am saying

Malcom Snyder - Without having my place I can't make any money so I have to have a nice place. I have to have that or I can't succeed. I am spending all my money and you think I am going to do something wrong.

Mayor Kuhn - No and I am not saying that. You have to make money. Any one in business has to make money and I don't see that those other businesses that are not respectable as you are they are making money. The only problem that I am seeing is like I said is the location and not adding to the problems that are already in existence. Like I said this is what we do at a public hearing and then once we go to the Resolution we can go through all of this again, am I correct?

Craig Alexander - Yes.

Mayor Kuhn - O.K. I see that you are back up is there something that you would like to add?

Melissa Waldron - 321 Iris Drive - I am not saying this is what you said but in my mind I am hearing that we have a bad corridor and because we have a bad corridor we don't want to put anything there.

Mayor Kuhn - No I didn't say we don't want to add anything there. I said I don't know if I want to add another establishment where liquor is going to be served when that corridor has so many in that square area where already liquor is being served and the people that are going there are people who are going and doing things illegally and which you can see if you want to read police reports. My concern isn't that I don't want anything to go there because of the establishments that are troublesome my concern and my statement was I am concerned not that I don't want I am concerned that by doing this and am I contributing to a serious, serious problem that corridor has already in that area.

Melissa Waldron - When places have problems like that we can beautify it right so (inaudible) and in order to do that is to bring business to the area and because that area is bad and there is already a problem there, so if people that live over there are having these problems also they don't deserve not having an improvement in that area or a place to go and eat.

Mayor Kuhn - And as I keep telling and expressing I am not saying I don't want an ice cream shop, I don't want a sandwich shop, I don't want a flower shop, I don't want a hardware store to put in that location that is not what I am stating and I don't understand why you are receiving it as that. What I am addressing is when there is a serious problem and it is not beautifying the outside of the establishments, what I am concerned with is the going on in the inside of the establishments. You have the right to your opinion as a taxpaying resident as I am a taxpaying resident and my concern is not that I don't want a business

Melissa Waldron - If we were looking at a hardware store you would approve it right away.

Mayor Kuhn - Of course because a hardware store is not a place where people are going to come in and sit and drink. My residents there I can't not only be concerned on who comes to these meetings, I don't play to my people in the audience. I answer to this entire Municipality and I have to hear and I am sure if this was in your area and if you had to be awoken 1:00, 2:00, 3:00 and if you are awoken by fights, where police are shootings, happens all the time

Melissa Waldron - I am.

Mayor Kuhn - And where are you located?

Melissa Waldron - I am located on Iris Drive which is right behind Duff Park and also your construction is going on right now. All this noise is annoying.

Mayor Kuhn - Do you hear shootings?

Melissa Waldron - Yes.

Mayor Kuhn - You hear shootings in that area?

Melissa Waldron - All the time. Check.  
I call all the time.

Mayor Kuhn - Then with all of those problems would you be in favor of having a bar/restaurant brought into that area to contribute to the problems that you already have.

Melissa Waldron - Yes.

Mayor Kuhn - Then I appreciate your comments. Can you please speak into the microphone.

Melissa Waldron - I told him wherever he goes I will be a patron at his place.

Mayor Kuhn - And that would be wonderful and as I said if he would choose a different location I don't think there would have been any concerns from this Mayor & Council and I already stated that and as I said that is my opinion. As the Mayor and taxpayer I have the right to the same as you so we can disagree without being disagreeable but the view that you are looking at and the view that I am looking at we don't agree but there again I haven't stated what my vote will be but no matter what it is that is only one vote. Is there any other comments from the audience? Mr. Getsy if you could come up to the microphone and give your name and your address.

Mr. Getsy - 151 Crescent Hills Road - It seems like the deck is stacked against him. Your opinion against his proposal. I would like to hear what the other Council people feel about this because I just think he should be given the opportunity because if he is willing to put his money into a restaurant we have Police that patrol that area why not give him a chance and I really don't expect an answer I just wanted to make this comment because I think we should be happy to invite entrepreneurs who are willing to do something good for our Community.

Mayor Kuhn - To answer Mr. Getsy you have been coming to the meetings for years and years and years which I really applaud you for. I wish everyone in the Municipality had the devotion that you do, however, that being said as far as making a statement at a Public Meeting if you would like to hear the comments from the other Council people I do not know when I served for twelve years under Mayor Anthony DeLuca, Jr. or the two years that I have served as Mayor that there has ever been one public meeting that a Resolution or an Ordinance is presented by an applicant that this Mayor and the previous Mayor has not made this statement. Is there any comments from the audience? Are there any comments from Council? So tonight when the Resolution is put up and voted on you will definitely hear comments from the Council Members as you would on any Ordinance or Resolution that is presented at a Council Public Meeting. Are there any other comments from the audience? And as I said this will all be done again as a Resolution. Is there any comments from Council?

Mrs. Sapp - I would like to make a comment that I really agree that whole strip definitely needs to be fixed. That strip is one of the most beautiful strips in Penn Hills. However, on that whole strip there are three establishments there, two of the three establishments cause major problems. I am definitely excited that that you have this vision and that you are interested in opening your business in Penn Hills. I don't think many people who feel comfortable coming into that area when things such as

shootings. They might not come to your establishment at four o'clock in the morning but I (inaudible). With that being said I did go over to the resident next to the location and I went to speak with and told her what the proposal was and she was crying and the reason she was crying is because she lives there and those other establishments that are on that strip she has to worry about guns being shot. She also has to worry about that the music is so loud and the people and she also has to worry about getting out of her driveway because those establishments are on the other side of the road. The other establishments are parking right up to her property. That could cause a lot of problems so just imagine if your establishment and the establishment across the street (inaudible). right after closing time she has to go out and pick up all the chicken bones and beer bottles. I am just explaining what they are experiencing now.

Malcom Snyder - Can I direct my comments?

Mrs. Sapp - Yes when I am done. With that in mine I would just say I wish you would reconsider another location (inaudible).

Malcom Snyder - The place across the street is actually closer to her than I am to her. I have a barrier between my parking lot a natural barrier of trees and things like that to separate my property from her and my parking lot. They are closer than we are and I am addressing the tree situation.

Mrs. Sapp - That would be a great consideration. It shows your property would come right up to her property.

Malcom Snyder - It is about 30 - 40 feet away from her house. There is a fire hydrant there so he actually parks on the wrong side. She parks on my property right now. (Inaudible). She would have a nice piece of land before she would get to my parking lot.

Mrs. Sapp (inaudible)

Mayor Kuhn - Are there any other comments?

Mr. Brodnicki - I walked through the property and looked around. I think you should look for another location in Penn Hills. Thank you. Some parts inaudible.

John Petrucci - You said about the trees. Now when we talked earlier you said there were about 100 parking spaces. Now you said 70 - 80 spaces.

Malcom Snyder - 70 - 80 spaces I can give you. Using the front of the property up to the property line and the back side of the road with the natural barrier. But even still I can only do occupancy on the amount of spaces that I have. So you can cut my occupancy down to whatever my parking spaces holds.

Chris Blackwell - I think at this time my advice to Mr. Snyder is that not to make the investment into actual plans, or drawings I would give that advice to anybody with the knowledge that Mayor & Council had turned down the last two liquor license transfer requests and I think often times when there is a zoning change or this type of action it is premature to expect them to spend money on engineering and things like that but with any business regardless of what business it is the size of the building, the interior (inaudible) for any business parking (inaudible) so I think those are all things that once you really dive into it those are things that you will be discovering and (inaudible).

Malcom Snyder - I probably put fifty hours just to get to this point and I probably put another thirty in just planning and taking measurements. I probably put in about 100 hours in just getting to this point to make all of this work and I just want Council to be aware of how much money I have spent, planning, the building inspector. I understand about the other places but that is not me you are judging me on what is there now and that is not what I am doing. Thank you.

Mr. Underwood - Sir, I have a question for you. Now when you look at the establishment you are talking about the previous owner, was that a printer?

Malcom Snyder - Yes.

Mr. Underwood - O.K. so with that because it was a printer they have chemicals and ink. Has the soil been checked?

Malcom Snyder - No.

Mr. Underwood - How many cones are sitting in front of that area of your building o.k., therefore, how many decent size pot holes. When that soil falls through then the Municipality will have to get involved to try and backfill that whole thing. O.K. and that is going to really cause a problem with your establishment and the customers.

Malcom Snyder - There is no water or drainage issue on my side. When I walk and cross the street that is where the water is it is not on my side of the street.

Mr. Underwood - (inaudible) Have you had a survey of that area before you even borrowed the money. (inaudible)

Malcom Snyder - They looked on the computer.

Mr. Underwood - On the computer?

Malcom Snyder - Yes sir, It shows all the drainage.

Mr. Underwood - I think Code should go out and look at it physically and take a real good look.

Malcom Snyder - You can go right across the street and look down and see the water. It is right there.

Mr. Underwood - When Mother Nature is involved you can see the water on one side you won't be able to see maybe on your side. I am concerned about that establishment and the side effects.

Malcom Snyder - (inaudible)

Mr. Underwood - Thank you.

Mayor Kuhn - Any other comments regarding this Public Meeting?

Craig Alexander - The record for the Public Hearing will be closed.

Mayor Kuhn - Do you have that information?

Maureen Sorce - I have that the Public Meeting will be closed.

Mayor Kuhn - Next on the Agenda we have Citizens to Address Council - Andrea Getsy in regards to Earth Day, April 22, 2018.

Mrs. Getsy - Thank you for allowing me to speak this evening. My name is Andrea Getsy and I live at 151 Crescent Hills Road. I have my speech to pass around would Mayor & Council like it?

Mayor Kuhn - I think that is very nice for us to have it and read along with you while presenting and not rely on our memory.

Andrea Getsy - Today I am here to thank John Petrucci and Penn Hills Municipality for supporting a community-wide effort to clean up Penn Hills on Earth Day, April 22. On that day folks will meet at Penn Hills Universal Park starting at 8 a.m. for road assignments. I have heard John ask what the residents of Penn Hills can do to improve the Community. The answer is clean up the litter. Penn Hills is a beautiful Community, but not so much this time of the year when the snow melts to expose garbage-strewn roads. Litter is a never ending curse. I have been a member of CHCA for four decades. Members of the Civic Association have been picking up litter on state roads in Penn Hills since at least 2006. We estimate that we have picked up 2,000 bags of litter in the last 12 years. For the last year I have been a board member of Penn Hills Community Development Corporation (CDC). This group has also spent a lot of time and effort on the same question that John asks regarding how to improve Penn Hills. The CDC has determined that the best way to draw new businesses and residents to our Community is to make and keep it beautiful. Towards that end, the CDC has created and maintained flower beds at entrances to the Community. In

addition, in the last two years, the CDC obtained a grant and along with several fund raisers, purchased and installed four "Welcome to Penn Hills' signs. You will see these signs on Allegheny River Blvd., Mt. Carmel Road, the intersection of Coal Hollow and Frankstown Roads, and now on Saltsburg Road. These are substantial signs surrounded by beautiful landscaping. In addition to these beautification efforts, I know that the CDC has also been picking up litter for at least the last six years. The new Penn Hills Litter Group, headed by Faith Milazzo, is likewise holding at least quarterly cleanups. Each time, each group may get from 12 to 18 participants. Even with scouts and other groups picking up on occasion this is clearly not enough. Penn Hills is a Community of approximately 44,000 residents. We need to get much larger participation if we want to have an impact on the problem. Sometimes when we are on a road picking up litter, cars will drive by and toot in appreciation. But it is not thanks we are looking for, but rather folks who will put on gloves and pitch in. A large turnout on Earth Day will make a big impression on those folks riding by. Maybe they will stop and think about throwing out that coffee cup. Maybe they will pitch in to help. We need to advertise the "community-wide" effort. John has posted the event on Face book and on Penn Hills Posts for Penn Hills Folks. We need the event in the press and on the Municipal and Library web pages. We need a flier created, printed and posted at the Library, Municipal Building and given out to the public. I hope Penn Hills will do this. I want Council, the Leaders of our Community, to get behind this effort and to actively promote participation. Together we can beat this blight. Like Faith has done before, I invite everyone here to participate to those in the audience to encourage others to do so. Go to Universal Park on April 22 and get an assignment. Thank you

Mayor Kuhn - Thank you Mrs. Getsy. (inaudible). Councilman Petrucci at the last meeting would liked to have it on Earth Day and at the Public Meeting I told John that was a very good idea. Penn Hills has a cleanup day every year and it is usually in April and I told Mr. & Mrs. Getsy and I told the public that every year when I am riding on Lime Hollow to go to work I see the Getsy's out there cleaning up Lime Hollow Road so as far as Penn Hills does have clean up days because we do but I like John's comment that it is very good to corporate clean up days with Earth Day and Mayor & Council has had many comments from Faith. We have a committee now and as I say when I give my quarterly reports I appreciate them giving their information to Mayor & Council and so it takes a village and I appreciate the fact that you have come publicly to make the media and residents aware and I always direct the Manager to place the information on the Penn Hills web site and put flyers in the Library, Senior Center and also in the Municipal Building. I believe our President of School Board would like to speak.

Erin Vecchio - 231 Garlow Drive - Mrs. Getsy would you please call the call the school district tomorrow and give them all the information and Dominique will put it on our web site plus the sign going up and down the road so that it tells them where to come . O.K.

Mrs. Getsy - It wasn't my leadership, it was John Petrucci and he said I want a Community wide clean up so I have created a brochure and I went and looked up what he put out there so John I need that brochure that you put there and I will be glad to call.

Mayor Kuhn - I would appreciate that Erin because once again it shows

Erin Vecchio - We are working together.

Mayor Kuhn - Exactly Erin that the School Board, the Council even though we are separate amenities and we have separate budgets and separate boards we still represent the same people in the Municipality so thank you.

Faith Milazzo - 121 Castle Drive - Two comments. One I just want to add we are having a clean up the 14th the Saturday before. (inaudible) So people can come Saturday or Sunday or whatever works best for them or people like me will be at both. We picked up approximately 100 bags of trash and 25 bags of recycles. Now that is just for our official litter pickups. We have many members just like me (inaudible) I have a question you mentioned so is there an official litter committee?

Mayor Kuhn - Well I was referencing the committee that you represent because of the fact I was making reference to the fact that you had come up and brought concerns to Mayor & Council back in 2017 regarding the litter situation and that you have a working committee and I do recall at the meeting when Councilman Petrucci brought up about Earth Day and that you had stated that you were having your own clean up day and that John said perhaps you could head up.

Faith Milazzo - Which I would have but

Mayor Kuhn - If you could head up the Earth Day I did make the statement I think what Faith had said was she will be more than happy to participate but being that she has her own she will be tied up with that one. There is nothing wrong with having two in a row maybe someone who couldn't make it on your day will be able to make it Earth Day.

Faith Milazzo - Just to understand either John you could answer this or Andrea can so when we show up at Universal Park on that day at 8:00 will people (inaudible).

Mayor Kuhn - If I am not mistaken the Municipality is also supplying the vests and the gloves and

John Petrucci - That is correct Mayor.

Mayor Kuhn - John do you want to go further on it?

John Petrucci - John Scaglione I believe he said they would pass out the vests, the gloves, bags and also snacks and there are a lot of questions about what streets we will do first and I have had some people ask about Thompson Run Road. We will try to get them all to the best we can. So I will be down there early.

Faith Milazzo - Then will there be someone there for several hours. I know some people won't be there at 8:00 A.M.

John Petrucci - I am sure there will be someone there.

Mayor Kuhn - John the Parks and Recreation Department he has been in charge of this route for years.

Faith Milazzo - I won't say we haven't talked about this before. I am on Face book a lot but I can say I never really knew about the official Penn Hills Clean Up Day that they have had in the past. (in audible)

Mayor Kuhn - Well I know that there were times when an area would adopt a certain roadway. It has been and I apologize that you were not made aware of it through the fault of the Municipality not putting it out and like I said and as we stated at the last meeting that I was in attendance when Councilman Petrucci and Council were discussing it there were times when the previous Mayor reminded the dates and that is how long this goes back. They actually drove the trucks.

John Petrucci - I thought you were going to drive

Mayor Kuhn - Councilman Petrucci volunteered my services to drive the truck and I said well it better be automatic so everyone knows like I said I apologize we were at fault by not publishing this enough but Penn Hills has done this on a regular basis and it is wonderful that the residents of Penn Hills take their time to be involved in this and there is no one that is more concerned about the litter and the way that Penn Hills is perceived than you Faith and I thank you for the work that you put in to make our Community more beautiful and I thank you again.

Faith Milazzo - Thank you and you are welcome. There are a number of people who are just like me picking up trash.

Mayor Kuhn - And we appreciate everyone who does.

John Petrucci - One other person and Faith would agree with me is Mike Allison is that his name Faith well I want to tell you something this guy goes above the call of duty.

Faith Milazzo - He really doesn't want his name mentioned.

Mayor Kuhn - We have a group who also always took care of the turnaround on Allegheny River Blvd and I apologize because I don't know the exact names but I am sure the Crescent Hills People would know and they did a wonderful job when they adopted the turnaround at Allegheny River Blvd. There are many many many residents of Penn Hills who give the Municipality their time, their attention and their dedication.

Christine Miller - 109 Garlow Drive - I am here in support of John Petrucci, Community Day Clean Up. (inaudible). We used to do Saltsburg and Lime Hollow now we just do one because we are getting older. I appreciate anybody that cleans up litter. Thank you.

John Petrucci - There are a lot of people who give their time for pick up and they all deserve a big round of applause. It is a group effort. Thank you.

Melissa Waldron - 342 Iris Drive - John I just wanted you to know that there are on our Face book events 86 people interested, 10 for sure coming and 22 have shared. So as long as people keep sharing between now and the day of, we will have a really good turnout.

John Petrucci - I hope so.

Deputy Mayor Sapp - I just want to say to Mr. & Mrs. Getsy I will not be here on that day but I would like to say that I would like to contribute something that you might need on that day. (inaudible). Thank you so much.

Mayor Kuhn - Anyone else on Council. Again I would like to thank our Parks and Recreation Director John to be included in the thanks from the public. He has worked on Clean Up Day for many years so I do want to make sure that the public includes him in their thanks and recognizes for the work that he does for the Municipality and Penn Hills also.

Mr. Underwood made a Motion to approve the **Minutes of March 19, 2018 Council Meeting Minutes.**

Mr. Petrucci seconded the Motion.

There being no further discussion the Motion was approved by a 4-0 vote.

Mayor Kuhn - Even though I received the Minutes from my Manager's Secretary Maureen since I wasn't in attendance I will abstain.

## **EXPENDITURES**

Mr. Brodnicki made a Motion to approve the **Expenditures of April 2, 2018, 2018.** Journal Vouchers - 0 - \$0.00, C.D. Requisition - 3 - \$6,910.81 and Master 40188 - 40312 - \$1,703,335.75 making a Grand Total of \$1,703,335.75.

Mr. Underwood seconded the Motion.

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

## **ORDINANCES**

Mr. Brodnicki made a motion to approve **Ordinance No. 2619 of 2018** - reasonably regulating Bullying and Harassment in The Municipality; and providing for the Enforcement of the same.

Mr. Underwood seconded the Motion.

Mr. Brodnicki - (inaudible). For this to work parents have to talk to their kids.

Mayor Kuhn - I know when this first came Deputy Mayor Cathy Sapp had brought to the attention that the school district has a bully Ordinance, am I correct?

Mrs. Sapp - Yes.

Mayor Kuhn - And we are not overriding your Ordinance in any way shape or form this is just an addition to it and I also at that time had made a statement that bullying is not just a child problem. Adults are just as at fault and especially in this age of social media and computers. Sometimes it is devastating to the point that young people actually will commit suicide over the comments that are put on social media. It needs to be addressed and I commend the school district for already putting it in place but it also needed to be addressed outside of the school district because once the children get off the bus or if they are playing at a park after six o'clock then the school district bullying is not in effect so that is why it had to be extended to the entire Municipality. They have to pay attention in their Community surroundings. They have to pay attention to their neighbors, to the children if they see something, if they hear something so that the United States of America does not have these horrible, senseless killings so this is a step in the right direction. I applaud Mr. Brodnicki for bringing it to the attention and for Mayor and Council to follow up on it and as we say once we make a Resolution or an Ordinance we also have to be dedicated to enforce it.

Erin Vecchio - I applaud you for doing this because in this day and age bullying is terrible right now so the school district is not tolerating it you will be expelled. I feel that we should go beyond what we have already enforced and get the parents involved and

hold other people accountable for what their children's actions are. So I applaud everybody and Mr. Petrucci reached out to me and I appreciate any initiative on this because it has to stop. Thank you.

Mayor Kuhn - Thank you.

Mr. Petrucci - (inaudible).

Mayor Kuhn - (inaudible).

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

Mr. Underwood - I would like to make a Motion to approve **Ordinance 2620 of 2018** relating to Stop Signs on Jay Drive.

Mr. Brodnicki seconded the motion.

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

Mr. Brodnicki made a Motion to approve **Ordinance 2621 of 2018** amending Ordinance and/or Resolutions relating only to No Parking on Buchanan Road (**Ordinance 1145**).

Mr. Underwood seconded the Motion.

Mr. Petrucci - Basically when reading this you have to look at the map. (inaudible).

Mayor Kuhn - I appreciate the fact that Officer Lape put these maps because these Ordinances were tabled and now with the map they are more understood so congratulations to Officer Lape.

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

Mr. Brodnicki made a Motion to approve **Ordinance 2622 of 2018** there being no current Ordinance within The Municipality of Penn Hills, County of Allegheny, Commonwealth of Pennsylvania, The Traffic Safety Committee is proposing The Ordinance relating only to No Parking on Pearl Road.

Mr. Underwood seconded the Motion.

Mrs. Sapp - Even with the map it was confusing so I navigated the street with the map and it was hard so I am just going to trust Traffic Safety. Officer Lape good job.

Mayor Kuhn - (inaudible). Our Traffic Safety Committee does a really good job and John Petrucci with all his years as a Sheriff he knows the streets of Penn Hills very well and I am sure he would correct if wrong.

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

Mayor Kuhn - Before I ask for a Motion on **Ordinance No. 2623 of 2018**, I would like to ask the Solicitor if I could have this tabled or do I need to bring it on the floor to be tabled.

Mr. Alexander - I recommend it be tabled because some of the language is not correct.

Mayor Kuhn - O.K. because of the fact with the Manager not being here tonight to clarify the information to Council, I myself am not comfortable with the verbiage so I am asking for a Motion to table.

Mr. Underwood made a Motion to Table **Ordinance No. 2623 of 2018**.

Mrs. Sapp seconded the Motion.

Because we Tabled it there will be no comments.

Mr. Alexander - That is correct. You need to vote on the Tabling not on the Ordinance.

Mayor Kuhn - You vote on the tabling. We are not voting on the Ordinance we are only voting to Table the Ordinance.

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

Mayor Kuhn - This is the one on bulk rubbish containers. Now I know we had tabled this at one point because of the fact of the fees do I have to have it removed from theTable?

Chris Blackwell - Yes sometimes when we table things sometimes we table there is no more discussion so sometimes I leave here going what were we talking about changing. So in this case from my notes it was only the onetime fee and I think Mrs. Sapp said to have it changed to a \$25.00 fee required at time of registration so that is the only change. I just took out the one time but other than that there was no direction I think everything else was fine.

Mayor Kuhn - So what you are saying Chris there was only change to the original and that change is

Chris Blackwell - It just says registration. A \$25.00 fee will be required at registration and it used to say a onetime \$25.00 fee is needed at registration. I think what happened was Deputy Mayor Sapp thought it might be like each time you get one you are getting charged \$25.00 and that wasn't fair.

Mayor Kuhn - Now that being said when the Motion was on the floor and the discussion there were not any problems with the verbiage at that point in time.

Chris Blackwell - Yes absolutely.

Mayor Kuhn - So I don't have to take it off the Table I just ask for a Motion?

Mr. Alexander - That is correct.

Mayor Kuhn - Do I have a motion for **Ordinance 2624 of 2018?**

Mrs. Sapp - I make a Motion to approve **Ordinance 2624 of 2018** amending Section 3.2 of **Ordinance 2420** The Penn Hills Zoning Ordinance and **Ordinance 1939** The Penn Hills Existing Structures Code to Regulate Bulk Rubbish Containers in Residential Areas.

Mr. Brodnicki seconded the Motion.

Jim Getsy - 151 Crescent Hills Road - (inaudible) - Code needs more staff and they need more resources. The issue of the Bulk containers my question are they going to drive around and cite I am not going to have you answer this but you are putting something else on Code Enforcement. This takes time a lot of administrative time. (inaudible). I would like to see a report on how many complaints they get, how many are resolved and how (inaudible).

Faith Milazzo - 121 Castle Drive - I just want to say that I am still concerned about (inaudible)

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

Mr. Brodnicki made a Motion to deny **Resolution 2018-016** - approving the Transfer of Pennsylvania Liquor Control Board License No. R-10294 into The Municipality of Penn Hills from Baldwin, Allegheny County, Pennsylvania, to 4350 Verona Road, Penn Hills, PA.

Mrs. Sapp seconded the Motion to deny **Resolution No. 2018-016.**

**There was a lot of discussion of this Resolution but our whole system for tapping and recording is broken and did not pick up a lot in these minutes and the whole ending. Didn't realize about ending until ready to transcribe. System is down completely.**

There being no further discussion the Motion on **Resolution No. 2018-016** was a 5-0 vote to **deny** the Resolution. **RESOLUTION DID NOT PASS.**

**ADJOURNMENT**

Mr. Underwood entertained a Motion to adjourn.

Mr. Petrucci seconded the Motion.

Mayor Kuhn - Meeting is adjourned. Thank you and good night.

The meeting was adjourned at 10:25 P.M.

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DATE

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MAUREEN M. SORCE  
MANAGER'S SECRETARY