

MAY 7, 2018 COUNCIL MEETING MINUTES

Mayor Kuhn - Good evening everyone I will be amending the Agenda adding a Proclamation to The Shade Tree Commission for hosting their first Arbor Day Celebration on April 14, 2018. Also there was an Executive Session via phone that was held on April 18, 2018 regarding legal procedures. Other than that the Agenda will stand as presented with the addition of the Proclamation. Can we all stand for the Pledge of Allegiance.

APPROVAL OF AGENDA ITEMS

Mayor Kuhn - The Agenda will be amended adding a Proclamation to The Shade Tree Commission.

PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

ROLL CALL

Mr. Brodnicki
Deputy Mayor Sapp - Absent
Mr. Underwood - Absent
Mr. Petrucci
Mayor Kuhn

Also in attendance were Manager Rayan, Secretary Sorce, Finance Director Schrecengost, Planning Director Blackwell, Gateway Engineer Minsterman and Solicitor Alexander.

Mayor Kuhn - First on my Agenda tonight is to recognize our Chief of Police, Howard Burton. It is my privilege to congratulate Howard, I am sorry Police Chief Howard Burton we have been friends for a long time so it is hard for me to remember the proper protocol but I do want to congratulate the Chief for receiving from The Elks Association the Honor of Citizen of the Year. Chief Burton and I as I have stated have worked with one another for many years and I consider him and his wife friends of mine. The Chief has always presented himself and his position of Chief of Police honorably, respective and professional in every way. The Chief and our entire Police Department's actions bring pride and respect to our Community. We are all thankful for the Chief and to our Police Department for keeping our Children, our Families, our Homes and our Businesses safe. We have a wonderful Police Department but no matter what you have as a Department you have to have someone in charge and I feel lucky that we have our Chief Howard Burton. So if we could all just stand and give him recognition, I would appreciate it. (All stood and clapped for Chief Howard Burton). Howard did inform me that he is not being rude but he is

leaving for the hockey game.

Chief Howard Burton - Hey, I am going to hang around for awhile.

Mayor Kuhn - I would like to thank Deputy Mayor Cathy Sapp for attending the celebration for the Chief in my absence. Now we are going to move on to a Proclamation. Now there was some confusion regarding the Proclamation to The Shade Tree Commission for Arbor Day. It was nothing that can't be easily corrected. Our Shade Tree Commission have the most talented, devoted and hard working members one could ask for. Mayor and Council receive quarterly reports from the Commission that show their financial report projects and what they have completed and their upcoming projects. Planting and caring for trees and shrubbery throughout our Community will enhance our Community. The curb appeal from those passing by will be spectacular. Simply ride through Crescent Hills and you will witness what beautiful trees can do to a Community. So do you have the Proclamation? I will read the Proclamation. Unfortunately, Kathy Raborn wasn't able to attend tonight and I will ask if Councilman Petrucci would be able to present it to the Shade Commission because he was kind enough to represent Mayor and Council at the Shade Commission's event and I thank you for that John.

John Petrucci - You are welcome.

Mayor Kuhn - Proclamation celebrating Arbor Day. In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for planting of trees and this holiday called Arbor Day was first observed with more than a million trees in Nebraska. Arbor Day is now observed throughout the Nation and the World and trees can reduce the erosion of our precious topsoil by wind, water, cut heating and cooling costs, moderate the temperature, clean the air, produce life given oxygen and provide habitat for wild life. Trees are renewable resource giving us paper, wood for our home, fuel for our fires and countless other wood products. Trees in our City increase property values and enhance the economic vitality of business areas and beautify our Community. Trees, wherever, they are planted are a source of joy and spiritual renewal. Therefore, I, Sara J. Kuhn, Mayor of The Municipality of Penn Hills do hereby proclaim April 14, 2018 as Arbor Day in The Municipality of Penn Hills and I urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands. I further urge all citizens to plant trees to gladden the heart and promote the well being of this and our future generations. So like I said I would like to have presented it to The Shade Tree Commission themselves but they were unable to attend so, John, I am sure you won't mind presenting it. So I will sign it and hand it over to you.

Mr. Petrucci - I don't mind. Thank you.

Mayor Kuhn - O.K. so that was all good things that have happened in our Municipality. A few of many good things that have happened in our Municipality. Do I have a Motion for the April 2, 2018 Council Meeting Minutes.

Mr. Brodnicki made a Motion to approve the **Minutes of April 2, 2018** Council Meeting Minutes.

Mr. Petrucci seconded the Motion.

There being no further discussion the Motion was approved by a 3-0 vote.

Mr. Brodnicki made a Motion to approve the **Minutes of April 16, 2018** Council Meeting Minutes.

Mr. Petrucci seconded the Motion.

Mayor Kuhn - I wasn't in attendance but as I tell the audience always that we are fortunate to have Maureen Sorce as our Secretary who takes the Minutes of the Meetings and she presents them to us and they are in complete detail. I have read them and so I vote yes.

There being no further discussion the Motion was approved by a 3-0 vote.

Mayor Kuhn - Do I have a Motion for May 7, 2018 Expenditures?

EXPENDITURES

Mr. Brodnicki made a Motion to approve the **Expenditures of May 7, 2018**, C.D. Requisitions 11 - \$2,097,396.56, Master 40424 - 40601 - \$2,097,396.56 - Total \$2,104,681.41.

Mr. Petrucci seconded the Motion.

Mayor Kuhn - For those who might be new to the audience what this represents is every check that has been presented by the management for payment to any vendor or cost which Mayor and Council receive a week in advance, so if we have any questions we can present them to the Manager or Finance Director as can the public.

There being no further discussion the Motion was approved by a 3-0 vote.

ORDINANCES

Mr. Brodnicki made a Motion to approve **Ordinance 2625 of 2018** - amending Subsection 288.19 Deferred Compensation Plan of Chapter 288 of The Codified Ordinances of The Municipality of Penn Hills.

Mayor Kuhn - Do I have a second?

Mr. Petrucci - Well, we have a problem.

Mayor Kuhn - O.K. go ahead John.

Mr. Petrucci - I can't second it because

Mayor Kuhn - Can I second it, I will second it to bring it up on the floor.

Mayor Kuhn seconded the Motion.

Mr. Petrucci - 288.19 is the Code of Ethics in The Codified and 288.20 is The Deferred Compensation Plan. Mr. Rayan could you confirm that with me?

Mayor Kuhn - Are you stating that the Ordinance as presented has verbiage that needs to be changed?

Mr. Petrucci - That is correct.

Mayor Kuhn - And what is that verbiage again, Section I?

Mr. Petrucci - It is Section 288.19 and it should be 288.20.

Mayor Kuhn - O.K. so we are going to change that to 288.20, correct?

Mr. Petrucci - That is correct.

Mayor Kuhn - Is that the only change?

Mr. Petrucci - That is.

Mr. Alexander - Solicitor - I am not sure if that is correct, Ed sent the Original Codified Ordinance.

Moe Rayan - It is. The Deferred Compensation Plan is 288.20.

Ed Schrecengost - The Ordinance was passed in 1979 and it was 288.19.

Mr. Alexander - Somehow that is not correct.

Mr. Petrucci - That is the Codified from 2015?

Mr. Alexander - Yes the original from 1970 something.

Ed Schrecengost - 1987.

Moe Rayan - The appendix is incorrect.

Mayor Kuhn - So what you are saying Ed is the actual Ordinance that was originally passed in 1987 is that correct, that number is 288.19?

Ed, Yes.

Mayor Kuhn - And what Councilman Petrucci is showing it must be a typographical error on that front page.

Moe Rayan - It appears that way Mayor what Councilman Petrucci is referring to from this page is correct but there is a typographical error.

Mayor Kuhn - Am I correct Solicitor can we still go with the number that is the original number on the Ordinance that was passed in 1987?

Mr. Alexander - That is correct. Subsection 288.19 what we need to do at some point relatively soon I would think is to correct that appendix.

Mr. Petrucci - Well it is not only the appendix it is the whole paragraph. The paragraph itself is in the Codified Ordinance.

Chris Blackwell - If you look at it on line the Codified is on line and there may be some error in the Codified that is on line.

Mr. Petrucci - Yes this came off of the on line.

Mayor Kuhn - That came off of on line. Ok the question that I have is do we have to Table this because of that or are we able to go ahead with the vote due to the fact that it is the right Subsection on the original. I am asking for a clarification so I need to know where we go from here.

Mr. Alexander - I think you take the vote as presented because it is the right number and then we will clarify it and send it to the folks that do the Codifications.

Mayor Kuhn - OK so right now we are just working on the Ordinance Number 2625 of 2018 for the Section I Subsection that is stated as 288.19B, correct?

Mr. Petrucci - Correct.

Mayor Kuhn - OK and then we will just have the Manager correct what is on line hopefully tomorrow but that doesn't affect what we are voting on today, is that correct?

Mr. Alexander - That is correct.

Moe Rayan - Mayor it might take a little longer than tomorrow.

Mayor Kuhn - I want it done by 9:00 tomorrow morning Moe.

Moe Rayan - Unfortunately we have to go to the company that developed the disk for us to make any corrections.

Mayor Kuhn - O.K. well then let's put it this way, as soon as possible, how is that?

Moe Rayan - Will do.

Mayor Kuhn - Alright.

Mr. Petrucci - Just for clarification purposes and Mr. Schrecengost this is to give part time employees 7% into a Pension Fund?

Mayor Kuhn - Let me just see if I can just clarify that for you. John what this is is the original and correct me if I am wrong Ed the original 1987 stated that only full time employees were permitted to go into this program and not part time. Now if I am correct what this Ordinance is changing is you do have to be a former full time employee you just can't be a part time employee to have this. You have to be a former full time employee who has come as a part time employee and you have to be a full time employee who has contributed to this fund and any contribution that they are making comes from them nothing from the Municipality.

Mr. Petrucci - There is nothing from the Municipality?

Mayor Kuhn - No, the only thing that we are doing is permitting them that once it is almost like what Cobra would be with insurance.

Mr. Petrucci - So they can contribute out of their own pay?

Mayor Kuhn - Right and the only reason is because of the fact they were full time employees for X number of years now they are part time so if they want to continue because they are already part of the program that they have been paying into then they are permitted to continue to pay into it but it is only their money.

Mr. Petrucci - We are not matching their money?

Mayor Kuhn - It is not matching funds in any way, shape or form. Now correct me.

Mr. Alexander - Mr. Petrucci, if you look on the second page of the Ordinance the italicized portion that is the language that I had Cynthia add to make it clear that the Municipality wasn't paying any contributed money to part time employees.

Mayor Kuhn - It is at the bottom.

Mr. Petrucci - I see it. I got it.

Mayor Kuhn - Right because it states right there for the public the Municipality shall not contribute money to part time employees' Deferred Compensation Plan. Eligible part time employees who desire to participate in the Deferred Compensation Plan shall be solely responsible for contributing to same. Now as I said you just can't if you are a part time person want to be into this you had to have already been a full time employee and now you are part time and being that you have already paid into it you are being permitted to continue but it is on you and the Municipality doesn't put any funding into it. O.K.

Mr. Petrucci - O.K.

There being no further discussion the Motion was approved by a 3-0 vote.

Mayor Kuhn - Nothing wrong John with clarifying.

Mr. Petrucci - Nothing at all.

Mayor Kuhn - If you don't understand probably the public doesn't understand it.

Mr. Brodnicki made a Motion to approve **Ordinance 2626 of 2018** - amending Ordinance No. 2420, The Municipality of Penn Hills Zoning Ordinance providing for a change in The Zoning District Category and Corresponding Zoning Map Change for the following property described below. Said Property is currently Zoned B-2, Community Business. The intent of this Ordinance is to change The Zoning of The Parcel to R-1, Single Family Residential, for the purpose of converting the exiting building to a Church to be located at 12012 Frankstown Road.

Mr. Petrucci seconded the Motion.

Reverend Lance Lecocq - Pastor at the Monroeville Assembly of God and my address is 217 (Address Inaudible) Plum Borough.

Mayor Kuhn - I know that you have already been in front of the Planning Commission so if you want to give whatever your comments would be this is the time to give them to Mayor & Council. Planning Commission gives a recommendation to Mayor & Council as does the Planning Department and then what we do is we take their

recommendations and listen to your presentation and then we make our decision so the floor is yours.

Pastor Lecocq - O.K. thank you Mayor. I want to thank you all for your time tonight and thank you for giving us this opportunity to come and present for you and thank you for how you serve in this Community and thank you for caring about the City of Penn Hills and doing what is best for the people that live here. I also wanted to say thank you to Mr. Blackwell and his department for working with us. I also want to thank the people in the audience for their support and the decision that you make tonight. We very much desire to come to Penn Hills and plan a new church in the City whether we get the Bottom Dollar or not as you know we are under contract with Aldi who owns the property but we need to have the Zoning changed or we won't be able to use the property for the intended purposes but whether or not we get that property, the approval tonight, we still desire to come here and so we are very interested in having a position relationship with this group as we do with the Planning Commission and to work in cooperation as a partnership. I am going to read from my notes to be brief because I am a Preacher and you don't want that. I preach about 45 minutes and you don't want to hear all of that. Monroeville Assembly of God is a 58 year old church. My wife is here on my right and to be serving on staff there for twenty years now. Who we are is the followers of Jesus and what we do is we like to tell people about Jesus and like to show them how much God loves them. We believe that whatever the problem is Jesus is still the answer and no matter what the question is he is still the answer and we believe in the power of God. We have 4 campuses that we operate in and you received that information from us last week about those campuses so why the zoning amendment and why ask you to make such a huge change and to sacrifice so much. We realize that we are coming with this huge request and we understand the numbers that are involved and treating it like a business as when it was a grocery several grocery stores through the years so why a Church. Penn Hills has some great churches already. We are more than just a church and a ministry center. We are a border line Community Center. We have a lot of different services that we provide for the Community all week long. If we were coming into the City and rent for instance a space at school or rent space from another church which is a common way to launch a new church in a Community we would just have it for that one day and set it up and then tear it down and that would really limit what we are able to do so at the Planning Commission it was us expressing we really want to come to Penn Hills and the Planning Commission saying we really want you to come to Penn Hills so that was the basic summary of the meeting and I want to be clear what the information that we provided needs some substantial space for that to happen so if we had a smaller place it would mean changes for us and what we could bring to Penn Hills. So I just want to speak about value. I understand that your request for making is inconsistent with Penn Hills for economic development and see the guidelines and I understand that this corridor and how valuable it is for you. I would like to say that someone else would like to buy that building and they want to use it to make money and we want to buy that building and we want to use it to give things away and this would be a blessing to the Community. This has been vacant for three years and Aldi has not had any other offers

from any other potential buyers. It is a huge request related to finances and so what I encourage you to do today is consider a longer view of what is best for Penn Hills and I am talking about families and I am talking about children who are going to grow into teenagers and teenagers who will grow into adults and I am talking about a Community Center that has the opportunity that can bring life changes into these homes and with the kids and the young people and as they grow up to help them with their families and to see them have jobs and stay in Penn Hills and become home owners and so in the long term the financial impact with Penn Hills becomes very positive and very strong. Imagine a Community Center with a schedule similar to the YMCA with different things happening each day so on Tuesday people can come by and get free clothing for their kids, grandkids and on Wednesday it can be a medical clinic where people without insurance can come and seek free medical attention. We have some ideas for some after school programs for children and teenagers that it being right down the street from the high school would be perfectly located to have an impact on the young generation. On the weekends, there would be church services on Saturday Night and Sunday Morning. It would be a special place something different than anything that existed in Penn Hills right now. One of our campuses is in Arnold and if you know much about Arnold and New Kensington they kind of run together and that is where I grew up and Arnold is a rough town. It is a rough place and at our campus there is an atmosphere when you walk into that building and it is different than anything else you find in Arnold. People come from their homes or from their places of work and they gather there and there is a different atmosphere and a different presence there and we believe that is the Lord who enables us to do this. So I think you have an opportunity tonight to do something really special and on May 7, 2018 to make a decision to create something that has never existed here before and may never again but that is the potential. I believe with God's help we will help with all generations to come. You have a great responsibility and we respect everybody on this Council and we respect the great responsibility you have and you are the gate keepers of the City and you have to decide what we will and what you will not allow to take place in the City and that is a heavy heavy weight upon you and it is very natural for you and I am sure you take pledges and with your elections to do what is best economically for Penn Hills so I am asking you to focus not on what you might lose if you say yes to our Church but say yes to what you might gain by opening the door and allowing us to complete the purchase that we are in the process of right now with Aldi. So closing and what I am trying to say tonight is that the Monroeville Assembly of God and our other sister campuses are willing to come into Penn Hills and spend millions of dollars that we don't have yet in order to be a blessing to this Community of people and families in it and all we are asking you to do is give us a chance. Thank you.

Mayor Kuhn - Thank you so much. Do we have any other comments from the audience? Please stand and give your name and address?

John Bitter - (inaudible).

Mayor Kuhn - Could you speak into the microphone so everyone can hear.

John Bitter - I am a member of the church here. I am on the Gateway School Board and I am a volunteer track coach for the Gateway Team and I also served as a Volunteer Coach here for Penn Hills High for about two weeks when they were looking for someone to fill a vacancy. So I met with Dr. Rachel Levine last week. Dr. Levine is the Physician General of The Commonwealth of Pennsylvania and we talked about opioids. (inaudible). Anyone who have children in school. What can we do to protect our kids from opioids so the Government is doing everything they can possibly do. Police Chief in Monroeville is doing everything he can possibly do, the churches and the school board are doing everything they can possibly do so I guess my appeal to you is the churches are ordained by God to do good things. I think God requires them to have Faith. Governments are ordained by God to do good things. Economically speaking I don't know if we have answers to the money problems we have but (in audible). Let's find a way to invite them in and give them free reign to do whatever they can do (in audible). Thank you very much.

Mayor Kuhn - Thank you for your comments.

Reverend Hammond - As you know I am a Reverend here in Penn Hills and there are many crises that we face here in Penn Hills. We have had issues with gun violence, we had Devin Holloway who was gunned down at Linton Middle School and we need all the help that we can get. We need more hands on deck in Penn Hills to stop the violence that is happening in our Community and yes the Police Chief does an excellent job and we had Mr. John Petrucci and the School Board President Erin Vecchio who came out and marched along with us. We need more people committed to the violence and we have an opportunity for someone to come into Penn Hills that can help with the violence because we know that empty building is not bearing any fruit in our Community that building is not doing anything so if we could have someone add to that building that is going to be a blessing to our Community because we understand (in audible) we understand that we need money, but money is not the answer to everything. God is the answer to everything so I just ask that we just add a little faith in the process because we can talk about it but unless we (in audible) we have to do something. Mayor & Council you have an opportunity tonight to make something happen. Thank you for your time.

Mayor Kuhn - Thank you. Comments from Council, Mr. Brodnicki if you want to start.

Mr. Brodnicki - I agree that there are never enough churches. I try to go most Sundays to church myself also the Planning Commission stated that there are other parcels available and other buildings available. No matter what happens tonight I hope you find a home in Penn Hills.

Mr. Petrucci - I echo Councilman Brodnicki's sentiments. There are plenty of other spots. Yes we do need some type of organization to help us with the opioid crisis

and I believe in that and we do have an opioid crisis in Penn Hills and the Mayor will agree with me on that. Whatever happens tonight it is not the end. There are plenty of available spaces if you don't get what you want tonight. Erin Vecchio, President of the School Board is here and there are some empty schools in Penn Hills that you possibly could occupy and do the same thing. But I wish you the best here in Penn Hills and we welcome you if you decide to come.

Mayor Kuhn - Thank you. This is a very very difficult decision for me because of the fact I pride myself in the fact that I am a woman of faith and so I have that pulling at me on one side and I also have the fact that as Mayor of Penn Hills I cannot let my personal feelings and beliefs interfere with what is best for the entire Community. My only problem is and I am going to be a little bit lengthy here. I have read all of the Minutes from the Planning Commission and I know that the Planning Commission has sent their recommendation to Mayor & Council for denial. Now as I say the Planning Commission and the Planning Department all gave their recommendations to Mayor & Council to make the decision. We also received a recommendation from the Allegheny County Economic Development so when you read these wonderful letters that were in favor of bringing this wonderful service into Penn Hills we have from a Kristen Marino. I don't know if she is in the audience, Kristen such a wonderful letter and it was written so well and it was written from your heart and I will just give a few of the comments she has worked in various jobs in Penn Hills Community, she is a reading specialist for Penn Hills School District, she has worked at many of the elementary schools and Linton Middle School and she has insight on the lives of the students. She has more insight than we as parents or grandparents have because she is with the students on a daily basis for a large amount of time. She has seen countless unfortunate living situations that have been brought to her attention. Some students are homeless and there are many parents that are absent, incarcerated or simply working too many hours a week at low paying jobs that they are unable to take care of their children properly. Then she goes on that the Pastors and members of this congregation have a calling to help people and show the overwhelming love of God. They just don't talk about the love of God they actually show it by giving of their time, talent and resources and I do truly believe that they could make a huge difference in our Community. Erin wait until I am done, don't interrupt me.

Erin Vecchio - God just talked to me.

Mayor Kuhn - Alright come on up you are the only person in the audience that I would permit to speak and interrupt the Mayor.

Erin Vecchio - I was just thinking there was suppose to be - Erin Vecchio - 231 Garlow Drive.

Mayor Kuhn - Don't speak to the audience we have to hear you on the microphone.

Erin Vecchio - They are suppose to be closing three catholic churches in our area. I just got notification that we are closing St. Bart's, St. Gerard's and I think St. Suzanna. Couldn't we just move you into one of those.

Mayor Kuhn - That is a good suggestion.

Erin Vecchio - Also the school district might have some vacant property that you might be interested in and what you want. We could get you a deal on that. I would do anything for a deal for a church. These guys want to do that too but we are in such financial problems right now. I was thinking those churches might be great for you too and they are closing real soon because I got the letter saying St. Bart's is closing.

Mayor Kuhn - Is the Mayor aloud to continue. I am coming to the next school board meeting and I am going to interrupt the President of the School Board.

Erin Vecchio - And you know I would let you.

Mayor Kuhn - Yes I do. To go on further. They don't just talk about the love of God they actually show it by giving their time and their talents and their resources. I mean and then we have one from a Dr. Robert Beasley and I don't know if he is in. He is not here today but he is the Medical Director and Chairman of The Sheep Health Care Center which is part of the church and is presenting and he states that he has practiced on Rodi Road in Penn Hills for almost thirty years. He has seen a number of people without insurance increase steadily in our practice and it is estimated that in Penn Hills alone there are about 4,000 patients under 65 who have no health care and also he felt the need to do something so The Sheep Inc. Health Care Center was started eight years ago to show compassion and provide free care to patients with no insurance. We currently see over 1,000 patients a year and give over 400,000 of free care which I mean I cannot express how wonderful that is that one person would be able to do so much for so many and he ends by saying that we are here to serve and of course Pastor Lance with his he brings into what they are presenting which is very very much needed in this day and age. There are people who need so much that we generally take for granted what they don't have but that being said I know that there are other churches one of them is called Crossroads out on 380 where they have a similar program where they help with food, they help with addiction problems, they help if your car doesn't work and they have a little place where mechanics come in from the parish and they help repair cars for people who are in need. I really think that is the trend that needs to be continued in all Communities because of the fact as they say it takes a village, well we are the village so that is why I am so torn of this because of the fact that is my personal view on it and I do feel that there are many things that bring profit to a Community and the problem with the opioid and the heroin there probably is no one in this room that doesn't know someone, a family member, a friend, a relative, somebody who hasn't been touched with the horrible addiction problem that is nationwide. I do have one statement to make when the gentlemen was speaking and he said that the Government is doing everything they can I do not agree with that statement and I have

spoke to the Congress, Federal Congressman and Senators and explained to them that the opium prices is going to bring our Nation to its knees not outside problems from other Countries because it is not just your youth but majority is your youth and once they are addicted even if they go into a rehab the percentage is 80% that come out and go back to using again and that affects each and every one of us in every way because of the fact they will steal for money, the cost of health insurance to get them in. It is just a horrible situation and my comment to the federal people was we spent trillions of dollars and lost so many young people to look for weapons of mass destruction in a Country that nobody even knew and we came up empty so I say to them you need to spend some of that trillion dollars on helping those who have addiction problems. If you want to look for weapons of mass destruction, look in the back yard of any home in the United States of America. They should be providing these wonderful Community Working Facilities to help these people so it is very hard for me to come and vote but as I said as Mayor I represent all the residents of Penn Hills and I received information from the County saying that under our Comprehensive Plan this is not what they would believe to be in the best interest of The Municipality of Penn Hills and that is by Allegheny County Economic Development and her name is Kay Pierce and then I hear from my Planning Director who I have a lot of faith in that he also does not believe that this is the best for our Community as a whole and then The Planning Commission basically states the same so no matter what I believe and no matter what I want I can't let my personal feelings override my responsibility to the people of Penn Hills and to our school district because any tax revenue that comes in The Municipality gets a very small portion and our school district gets a really large portion and our school district needs revenue and so the only thing that I would be hopeful for is, however the vote and I feel very very bad that we don't have a full Council here tonight because something of this importance should not be put on the burden of three Council people. We have five Council Members and when there is something so important I would rather have five Council people but I would hope that whatever the outcome comes tonight that you don't walk out on Penn Hills. I would be more than happy to meet with you. I know John and Mark would be more than happy to meet with you. I will bring in my Planning Director because I don't want to see this opportunity be missed by Penn Hills so, however we vote I am praying that you don't walk away from Penn Hills, do you want to speak Rev. Lecocq, because if someone could interrupt the Mayor when she is the middle of her presentation I think you could speak.

Reverend Lance Lecocq - Thank you. We appreciate everything that you are saying and the heart behind it and we believe you and we understand and we know this is where you are coming from and we know that you have a lot of responsibilities. I am trying and you are talking about what is best for Penn Hills and that is probably where our dispute point is tonight but I just wanted to briefly mention about the other facilities that are available. Some we have looked at and the question for this group would be when a property changes hands that at that point in time the entire property needs to be brought up to current code.

Mayor Kuhn - Correct.

Rev. Lecocq - So that is a problem for us and a hesitation as we look at some of those other buildings which may actually be more expensive than what the deal we struck with Aldi's and then to realize that we would have to go in and there is asbestos issues, EPA and a lot that would have to be done to bring the building up to Code before we could use it and that might not be in our ball park price range.

Craig Alexander - A church to a church.

Chris Blackwell - If it was a school building it may be requiring conditional use for transfer of a school to a church and then there would be changes to be made but if we are talking about anticipating a church you would only require a \$100.00 occupancy permit.

Craig Alexander - I agree with that.

Chris Blackwell - Then there may be some but you are not making any alterations. If you are making alterations that would trigger other

Mayor Kuhn - So what you are saying Chris is probably if they look at other properties if they look at a church they would really need to look at a church that could service all their needs size wise so they wouldn't have to then ask for like remodeling done then they wouldn't be required to meet Code, correct?

Chris Blackwell - That is correct.

Rev. Lecocq - The older buildings that don't have the handicapped and the asbestos and things like that.

Mayor Kuhn - And I do realize that the location because of the bus route and everything would be easily accessible but did you have to pick our main corridor, I mean and I know that it has been empty for three years but the property that was our old Public Works Garage was empty for eight years or more and then we finally did get someone there and it is back on the tax rolls and it also brings in employment. Penn Hills average income is not that high so we have to make sure that I know that I don't want to put money value because of the fact the value of saving people cannot compare to the money value but that being said we still have to answer to our residents as to having a prime piece of property in Penn Hills but we are very large. I don't know how this will go, John do you have something else you would like to say?

Mr. Petrucci - I think that the property at St. Bart's if it came available would probably fit your needs. It has a school beside it and it is a pretty big piece of property and it would probably fit your needs even better than the Bottom Dollar.

Rev. Lecocq - That is the first one we looked at last summer and we felt that that would be one of the nightmare properties.

Mr. Petrucci - Really.

Rev. Lecocq - But we are open to looking at it again or talking to Mrs. Vecchio after the meeting and see what she has in mind too. The one Forbes Elementary School Chris showed that one to me and Mr. Rambo behind me here as well as other Planning Commission members offered after the last meeting to drive around with me and take a tour of the City. Everyone has been so gracious and we appreciate that. Speaking of gracious, I know you have other Agenda Items so I have said enough.

Mayor Kuhn - No that is alright this is a very important decision that I know each and every one of us have really labored over because but

Rev. Lecocq - I am sure you are all people of faith and it impacts every area of your lives. Thank you.

Mayor Kuhn - I realize that. Thank you so much.

Jim Fisher - 6 Black Oak Drive, Penn Hills Class of 64 - We opened the meeting with the Pledge of Allegiance and we said that we were one Nation under God and I believe that we are one Nation under God and our treasure should be where our heart is and our heart should be for the Lord and if we pass on this particular building I am just not sure what is going to happen. As I understand, the Catholic Churches that are going to be closing are not going to be available for years so that is my concern is where we are going to go from here. Thank you for your time.

Mayor Kuhn - Thank you. I have a question for my Solicitor. One minute please. I just would like to bring up something to the two Council people. I was wondering it is really unfair because of the fact they need three votes and there are only three of us present so I was wondering if we could table this until we have a full Council here so that they have at least a chance of three out of five. Would that be agreeable?

Mr. Petrucci - That is fine Mayor.

Mr. Brodnicki - Yes, that is fine.

Mayor Kuhn - And do we have a time limit?

Craig Alexander - I don't think there is any time limit.

Chris Blackwell - I don't think so. I don't remember the dead line of your agreement.

Rev. Lecocq - Pretty much is if we got a yes today with some miracles we could get everything done. If Aldi feels that we are

Mayor Kuhn - Honey do you want to come up to the microphone?

Rev. Lecocq - Usually they call me Rev. Honey.

Mayor Kuhn - It is a bad habit I have.

Rev. Lecocq - So if we heard a yes from you in the first week of June we could go to them and we would have to get a verbal with them on that for the extended period.

Mayor Kuhn - Do you think you could approach them and tell them that the Council was undecided and ask them if they would give you an extension until our next Council Meeting which is June 4th?

Rev. Lecocq - June 4th - My answer is yes I would be willing to approach them. I cannot guess how they would reply to that question but yes I would be willing to speak to them.

Craig Alexander - Here is the reason why Pastor because under our Home Rule Charter even though we have three here and the majority of three is two if you happen to get two of the three votes it is still a fail.

Mayor Kuhn - It is still a fail.

Craig Alexander - Under our Home Rule Charter all actions require three votes.

Rev. Lecocq - I was wondering about that.

Mayor Kuhn - Unfortunately a lot of people assume being that there are three of us if two vote yes it passes if two vote no it is denied but as The Home Rule Charter makes it it has to be three because it is three out of five so that is why I think it would only be fair if we had everyone here because then that would maybe make a difference.

Craig Alexander - A vote to be Tabled would be in order.

Mayor Kuhn - O.K. do I have Motion to Table **Ordinance No. 2626 of 2018.**

Mr. Petrucci made a Motion to Table **Ordinance No. 2626 of 2018.**

Mr. Brodnicki seconded the Motion.

There being no further discussion the Motion was voted 3-0 to table **Ordinance No. 2626 of 2018.**

Mayor Kuhn - OK where am I. Maybe I should ask my President of the School Board back there.

RESOLUTIONS

Mr. Brodnicki made a Motion to approve **Resolution 2018-019** - awarding a Contract to McShane Plumbing Commercial Services, LLC, for time and material for plumbing work performed at various Municipal Owned Facilities.

Mr. Petrucci seconded the Motion.

Mr. Petrucci - Yes Mayor. I am looking at the Plumbing Service Time and Material and I see that Ace was \$64 and \$29 and McShane was \$75 and \$35. Why did we go with McShane instead of Ace?

Mayor Kuhn - I checked that also John where it shows McShane is \$11.00 higher than Ace's Plumbing on the Tools and Test and they are \$6.00 higher on the labor so I was assuming and I had it clarified by the Manager. When we choose a contractor it is not only the lowest it is the most responsible bidder. Is that correct?

Moe Rayan - That is correct Mayor. Nothing against the other contractors but we just had some experiences with the previous contractor with some issues in various buildings and they were unable to get the work done. Like I said nothing against the contractor but we have old buildings that require a little bit of extra investigations to buy the parts and go after and some parts are coming from Texas and other states so the previous contractor wasn't able to perform the work so we had to get another different contractor in and when the bids came in we evaluated the performance along with the prices and again cheaper is not always the best. We try to do our due diligence when we pick a contractor. We look at performances and the time of completing the work and the responsibility their response time as well. Plumbing is a sanitary issue. We had a really hard time the last time we had a problem in this building to the extent that I authorized the employees to go home and use the facilities and come back to work.

Mayor Kuhn - As I said I saw that also John, but I know that it reads the most responsible lowest bidder so when we have a situation when a person comes in with a bid and it might be lower if for some reason we know that they are not responsible

Mr. Petrucci - So we know that they are not responsible. O.K. very good.

There being no further discussion the Motion was approved by a 3-0 vote.

Moe Rayan - Just a quick comment Mayor. Probably in the past at least ten years we haven't done something like that it was based on the experience that we had with the previous contractor and again nothing against the contractor in terms of their

capability of doing the work it is just these are old buildings and they have to go hard after the parts and Mr. Petrucci you were familiar with the issue at Lincoln Park Community Center they had to go get parts from Texas.

Mr. Petrucci - Yes.

Mayor Kuhn - Thanks for that explanation Moe.

ITEMS FOR CONSIDERATION

None.

INTRODUCTION FOR ORDINANCES, RESOLUTIONS, ETC.

None.

REPORTS FROM MAYOR, COUNCIL AND MANAGER

Mr. Petrucci - First I would like to talk about Earth Day on April 22nd. I would like to thank all of the volunteers. We had a success. Also I would like to thank the Boy Scout Troop 891. They helped us out and it was a great day. We cleaned up Penn Hills and we got a lot done that day. Hopefully in the Fall we can do the same. I had the privilege last Friday, May 4th at the Allegheny County Children's Youth Facility Services it was the ribbon cutting sponsored by The CDC and it was a wonderful event. This company is going to employ 240 workers and they are going to open another facility on Duff Road. This is a giant boost for our economics and welcomed in Penn Hills. CDC did a great job so we owe an awful lot to CDC they did a wonderful job in doing the ribbon cutting and presenting everything. Had a luncheon afterwards and everyone in the Community that has a restaurant gave us a sampling of their food and they had a tasting so that these people got a little bit of taste of what is in Penn Hills.

Deputy Mayor Sapp and also other council members attended the Allegheny County Children's Youth Facility Services sponsored by The CDC.

Mayor Kuhn - That was nice.

Mr. Petrucci - Yes that was very nice. So they know where they can buy the best wings and the best pasta and the best ice cream. She is not here tonight but I wanted to thank Melissa Waldron for her efforts in finding the food trucks and bands for this year's events. Her and John Scaglione are working very well together and I wanted to thank them both. The school district had a meeting on Tuesday the first of May on the furloughing of teachers. Since the board president is here maybe can I call her up here so she can give us a little in sight on the furloughing of the teachers.

Mayor Kuhn - That is fine. This is Erin Vecchio and she is the President of the School Board and I think it very nice Erin that you came tonight to give information as to what the school board has to do or not do.

Erin Vecchio - Right now we are in a financial crisis. Everybody knows that until the District Attorney comes out and does what he has to do and I pray every day he comes real soon. We are looking at twelve teachers being furloughed and I was talking to John about this. We need to do something about getting our taxes collected. We have so many people that owe us money that we can't get and I understand that the taxes are high and that but we have to figure out something as a Community because we are set on two years right now with Maiello and Brungo and we have to actually look into like maybe making it longer or stretching something just to help the people to get more money coming in at least. Here is another thing too. There are people that have money that aren't paying their taxes.

Mayor Kuhn - I know.

Erin Vecchio - That is what is really bothersome to me and I would like to put an Ordinance in somehow because I don't think politicians should be able to run for office if they owe us money.

Mayor Kuhn - I agree.

Erin Vecchio - I think just like coming after the school board members now that didn't pay their bills when they were on the school district before I would like to look into an Ordinance to like go after the people that actually owe us the money that can't afford it and if you owe the School District or the Municipality money you should not be able to run for office.

Mayor Kuhn - I agree because of the fact how can you be sitting on the board making decisions that are costing taxpayers money and you yourself are an offender.

Erin Vecchio - Right.

Mayor Kuhn - So I agree with that 100%.

Erin Vecchio - On the school board we don't get paid for what we do.

Mayor Kuhn - O.K. just make sure you tell everybody what our salary is.

Erin Vecchio - I don't have a clue but I mean at least you get more than I do and I am not getting anything.

Mayor Kuhn - We are not paid employees for the public. Council people get \$300 a month and I get \$400.00 a month.

Erin Vecchio - But if they owe taxes they should have to pay that.

Mayor Kuhn - I agree with that. They should not be on the board getting money and they shouldn't be on the board period. Right. We will have to look into that.

Erin Vecchio - I would appreciate that you do because I am looking at it on the school district side and I am just trying to figure out how to get any amount of money into our school district to get it back. I wrote letters to Doyle trying to get him to get us financial money. Jay Costa got us the \$2 Million and he is getting us \$2 Million more to put into our budget.

Mayor Kuhn - Senator Costa has been very good to the school district.

Erin Vecchio - I mean we need every avenue that we can get to get money in here and I just appreciate what you guys do.

Mr. Petrucci - We had talked about a list. I think that should be the first step. I think we need to get a list together of who owes the money and then we will go from there. Do you agree Mayor?

Mayor Kuhn - Right because of the fact I mean especially no one sitting on a board should owe taxes whether it is School Tax, Municipal Tax or County Tax and they should be paying their sewer bills and their water bills. I mean how can you be making decisions for your School District or The Municipality when you are in fact not paying what you are making a decision for. So I think that is a very good idea.

Erin Vecchio - Thank you and I appreciate your help. Thank you Mayor.

Ed Schrecengost - When we make the list why can't we just publicize it?

Erin Vecchio - Right just publicize it. We used to do that with the State.

Mayor Kuhn - If you let the people know that it is going to be put public that they haven't paid then they might pay it. Everyone should pay their own share.

Erin Vecchio - And that is what I did with the School District. I said you have this amount of time to pay us or I am going to publish your name.

Mayor Kuhn - And I think that is a good program to put into place.

Mr. Petrucci - Thank you.

Erin Vecchio - Thank you.

Mr. Petrucci - Next on my list was we have to thank DPW and Mr. Rayan here for the banners are down in Penn Hills. I know everybody was bothered by that and we thank you Mr. Rayan and DPW. You and I had talked about and you said it didn't matter where I brought this up at so we will just discuss it now I guess and get the Mayor involved and Mr. Brodnicki about the Noise Ordinance. We had talked about adding to a Noise Ordinance. We don't think there is one for ten, eleven o'clock.

Mayor Kuhn - I know we have an Ordinance but I don't think that it is detailed enough.

Mr. Petrucci - Right. That is exactly right. Maybe we can look into that also and bring it up at the next meeting.

Mayor Kuhn - I think that would be good also.

Mr. Petrucci - Something I am just going to throw out one more time we have to explore this permit for these political signs. Also some people's signs are being put on the sides of the roads and they brought this up to me about private property. Why can't we just have an Ordinance that puts them on private property only. Something for us to explore. What is your thoughts on this Mayor?

Mayor Kuhn - I know that the signs for local usually they take them down within the period of time that they are suppose to but when you have someone who is running for County or State or Federal they have such a wide area that I see signs up a year after.

Mr. Petrucci - Exactly.

Mayor Kuhn - I didn't know, go ahead Chris. I am use to being interrupted here tonight.

Chris Blackwell - Actually the current Ordinance, they are only permitted on private property.

Mr. Petrucci - Is that right?

Chris Blackwell - You don't have to get permission so that is one of the biggest like where everybody puts it is in a right away and they actually aren't permitted on a right of way. They are only permitted on private property.

Mayor Kuhn - See I didn't realize that and I think what we need to do Moe if we could send that notification to the Republican Committee and Democratic Committee then that way they will be notified because truthfully I didn't know that.

Mr. Petrucci - I didn't know that either.

Chris Blackwell - Code Enforcement that is impossible for them to regulate.

Mayor Kuhn - Right so what I was saying though if we do notify the Republican Party and the Democratic Party that they are not permitted to do that then if in fact we even see them would we be permitted to take them down?

Craig Alexander - The answer is yes and I think Monroeville has had a similar Ordinance for years and that is exactly what they do.

Mr. Petrucci - We all have campaigned and we all take our signs down. But we have the County candidates whether they be Republican or Democratic and they throw them over the hill behind Kuhn's Auto Body because the boy scouts went down there and picked up a whole lot of them. They went over the hill right there and they picked them all up and they brought them up to me and said look at this and it was an absolute mess. Instead of anybody the day after election within the ten days they just threw them over the hill. Somebody got out of their car and just took all the signs down on the corner and threw them over the hill towards your building. That is crazy.

Mayor Kuhn - Locally they usually are down within the time limit and usually even faster than the time limit. But the problem when you are County, State and Federal they have time to put them up but they don't have time to take them down. I know for an instance was the German Cemetery. That was a disgrace of how everyone put them there and I know that is no longer permitted.

Mr. Petrucci - You are correct.

Mayor Kuhn - I think that is a good idea. If we already have it in place.

Mr. Petrucci - Then there is no need for it.

Mayor Kuhn - We send them out not just to Local but to the County and the Republican and Democratic Committees throughout the State and then if we ourselves see them we will take them down.

Mr. Petrucci - Or, if Mr. Schrecengost could get us a way to charge them the \$75.00 and then we could give them the money back it would be very nice of him to do that. Would you work on that for us, Ed?

Ed Schrecengost - Who is picking up all the bags of garbage?

Mr. Petrucci - Well we called the State and the State picked up some of those, we called the County and the County picked up some of those and so do we have bags that are missing?

Ed Schrecengost - Hulton Road.

Mr. Petrucci - Hulton Road?

Moe Rayan - State Road.

Mr. Petrucci - State is a little lax. I have noticed that. I have called a couple of times and Faith called a couple of times but I will get on that for you. Hulton? Thank you Ed. Is this the last time we are in this building, Mr. Rayan?

Moe Rayan - No.

Mayor Kuhn - We are close but no. I am going to give my reports prior to Mr. Petrucci because everybody gets tired and then I don't have any one listening to mine. This is a letter that we received from The County of Allegheny dated April 11, 2018 and it was to my attention, Moe Rayan and our Water Pollution Director Thomas O'Grady. Sewage Compliance Evaluation Inspection, Lincoln Road Sewage Treatment Plant on March 2, 2018 there was an inspection of the facility as a result of the conditions noted at the time of the inspection and a review of the records and reports submitted The Department had no violations of The Pennsylvania Clean Stream Law. The operator has reported no excursions on the sewage treatment plants discharge monitoring reports for the last twelve months so that is a very good report and it shows as I try to explain to everyone that is what we have accomplished with our sewer systems even though our rates they weren't increased for eight years but then we did have to increase them but that is where your money is going and it is a fact that we are in compliance and we get these types of reports. Also I wanted to thank John. I had asked him if he would represent me at The Penn Hills Community Development Corporation which he reported on and I thank him very much. My Council has picked up for my problem with scheduling events and I do appreciate it tremendously and anytime I ask John he is always there for me so I do appreciate it.

Mr. Petrucci - No problem. No problem at all.

Mayor Kuhn - We are going to have an Executive Session after the meeting for Personnel Matters and I will ask for the meeting to be adjourned. Motion.

ADJOURNMENT

Mr. Brodnicki entertained a Motion to adjourn.

Mr. Petrucci seconded the Motion.

Mayor Kuhn - Meeting is adjourned. Thank you everyone for coming.

The meeting was adjourned at 8:58 P.M.

DATE

MAUREEN M. SORCE
MANAGER'S SECRETARY