

## **DECEMBER 17, 2018 COUNCIL MEETING MINUTES**

Mayor Kuhn – I will bring to order the December 17, 2018 Regular Council Meeting. The Agenda will stand as approved. Could we please stand for the Pledge? It is 9:40 PM. Thank you.

### **APPROVAL OF AGENDA ITEMS**

Mayor Kuhn - The Agenda will stand as approved.

### **PLEDGE OF ALLEGIANCE**

All stood for the Pledge of Allegiance.

### **ROLL CALL**

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

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

### **MINUTES**

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

Mr. Petrucci seconded the Motion.

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

Mr. Brodnicki made a Motion to approve the **December 3, 2018** Council Meeting Minutes.

Mr. Petrucci seconded the Motion.

There being no further discussion the Motion was approved by a 3-0 vote and 1 abstained.

## **EXPENDITURES**

Mr. Brodnicki made a Motion to approve the **Expenditures of December 17, 2018**, Journal Vouchers 0, \$0.00, CD Requisitions 12, \$74,481.59, Checks 42276 – 42418 - \$934,365.18 making a Grand Total of \$1,008,846.77.

Mr. Petrucci seconded the Motion.

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

## **MOTIONS**

Mr. Petrucci made a Motion to approve a listing Contract with Realtor Michael Pirolo and approval of Consumer Notice, Mineral Rights Addendum, and Commercial Property Information Form, with authorization for the Mayor to sign and Municipal Manager to sign.

Mr. Brodnicki seconded the Motion.

Andrea Getsy – 151 Crescent Hills Road – What is this?

Scott Andrejchak – These are standard documents between the seller of the property and the realtor.

Craig Alexander – Listing Contracts.

Andrea Getsy – It doesn't talk about the property, what property it is?

Mr. Petrucci – The Old Municipal Building.

Scott Andrejchak – The Old Municipal Building.

Andrea Getsy – Oh he is going to put it up for sale, that is what I was wondering.

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

Mr. Brodnicki made a Motion to approve a Motion for a Letter of Intent with Governor's Center for Local Government Services to conduct a study of Fire Services in Penn Hills.

Mr. Petrucci seconded the Motion.

Mr. Petrucci – Could I have Manager Andrejchak explain this to the audience?

Scott Andrejchak – Sure as singly as I can. The Fire Marshal and I along with Mayor and Council we have been discussing different ways to make our fire service in Penn Hills even better than it is. I think a lot of that was discussed tonight. There was a lot of discussion about man power needs and funding needs, equipment needs, a good first step for the Municipality is to work within the frame work that exists in the Commonwealth and really to ascertain what those needs are and I think when we talk about long term needs the departments this is probably one of the best avenues we can use to look long term at all of those needs and what is going to be needed in Penn Hills and not just today but in the future as well so if this is approved tonight then the Letter of Intent would be sent to the State and then it would be up to the State to decide if they want to fund and consult this study. I will be reporting back to Mayor & Council on how that goes.

Mayor Kuhn – I just want to say that I have discussed this with a few of the fire chiefs and I know that the Manager has talked to them and we did send them back up information so they were aware of what this entails.

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

## **ORDINANCES**

Mr. Brodnicki made a Motion to approve **Ordinance No. 2018-2636** – amending Ordinance 2567 of 2014 The Penn Hills Vacant and Abandoned Property Ordinance which provides measures for addressing deterioration and blight in The Community and prescribes Registration, Maintenance and Security Requirements.

Mr. Petrucci seconded the Motion.

Andrea Getsy – 151 Crescent Hills Road – I would like to understand what the amendments how it does approve this particular Ordinance? I do see under the vacant definition all of the language that was eliminated to any building that is not legally occupied is vacant and the other thing some small words in the front of amending the process. I am really interested in how this is going to improve.

Scott Andrejchak – Distinctly as I can the big change is what the banks are going to pay. We have a pretty good Vacant Property Registration Program here in Penn Hills that is administered by our staff and under that program if the property is vacant or in foreclosure or in some sort of maybe in foreclosure but the deed is still hanging out there so to speak to the bank, the lender, the financial institution pays Penn Hills \$150.00 the first year, \$250.00 the second year and I think it is \$400.00 the third year. The big change that we are proposing in the Ordinance is to keep the program the same but have it be \$400.00 all the time instead of staging it up to \$400.00 and the reason for that is because of the fact our costs for vacant properties is the same if it is for one year or three years we still have to maintain the property in many cases and with that as we all know when a property is vacant or when it is in some sort of a long term

ownership status or foreclosure situation sometimes there is a lot of costs and hidden costs to the Municipality so really to answer your question the best is the fee that we are changing.

Andrea Getsy – I was interested in this because our Community we had a couple of vacant properties and one in particular and we said we are going to send a letter to the owner of that property and say you need to do something about this property. It is a mess. I took pictures we sent them a letter and the letter came back. We were given two addresses that were provided to us by the Municipality and they turned out to be no good and then what if you don't have the name of the owner and I don't and we have been watching that property decay for two years and watching animals take over the property so what is going to happen here so I was hoping \$400.00 isn't going to make them change their minds there but you would have to be able to find someone and put a bigger fine on them so if you are given bad information on your registration what can you do about it.

Scott Andrejchak – I am not sure what your question quite was but what I would say is that often times it can be difficult to track down owners.

Andrea Getsy – How do you get the \$400.00 from them?

Chris Blackwell – There are going to be properties and technically they are bankrupt that is where the bank is going to pay \$400.00 so right now we cannot find the owner we aren't going to get the money out of them. And you will see tonight we are also going to approve an agreement a third party we are going to hire a third party to track them. We do a good job we are thinking we are going to double the properties and track them even better.

Andrea Getsy – Thank you.

Mayor Kuhn – As stated this is an Ordinance that is amending a prior Ordinance on Penn Hills Vacant and Abandoned Property Ordinances. Anything that is in () and a line through has been eliminated and anything underlined is put in place so no other further comments roll call.

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

Mr. Petrucci made a Motion to approve **Ordinance No. 2018-2637** – amending Ordinance 2547 of 2012, reducing the number of required times public notice for the competitive bidding process must be advertised.

Mr. Brodnicki seconded the Motion.

Betty Arntz – 172 Highland Road – So just curious the motivation for this. It seems like we want to get as many competitive bids as possible. I recognize that

advertisements in newspapers are very expensive and not many people, sorry to the Trib, don't read the paper any more. Is there some other way the public is being notified that will replace this or is there something that I am missing here?

Scott Andrejchak – Well actually to your point about increasing competition and awareness that is exactly what this does. Our charter by law generally has a bidding requirement. Our charter says that if up to the Mayor and Council from time to time to decide what that is. So back in the 90's it was decided to have two advertisements in the newspaper of general circulation before anything was awarded. What I recommended was one time in the newspaper and then publishing on line on our website. What we are finding is that second advertisement is costly and it is probably not likely that most people see this one if they didn't see the first one and it was designed with the intent of reducing some of our costs and also making it a requirement when we are seeking bids to put them on line. People are going to see them quite frankly.

Betty Arntz – I am sorry I read this quickly. Is that language of putting it on line in here?

Scott Andrejchak – Yes.

Betty Arntz – Thank you.

Mayor Kuhn – As the Manager has mentioned when this Ordinance was put into place the use of the internet was not as popular as it is today so in order to save cost to the Municipality he is recommending that we only have to advertise once instead of twice and that it would be on the internet for everyone to see and research.

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

### **AGREEMENT:**

Mr. Brodnicki made a Motion to approve an Agreement between Penn Hills, PA and Property Registration Champions, LLC – This Agreement is made as of the 17<sup>th</sup> Day of December, 2018 by, and between Property Registration Champions, LLC, DBA PROCHAMPS, a Florida Limited Liability Company, with offices at 2725 Center Place, Melbourne, FL 32940 (“PRC”), and Penn Hills, a Pennsylvania Municipal Corporation with an address at 102 Duff Road, Penn Hills, Pennsylvania, Allegheny County, 15235 (“COMMUNITY”).

Mr. Petrucci seconded the Motion.

Mr. Petrucci – I have a couple of things on this. This is a winner in my opinion I think.

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

## **RESOLUTIONS**

Deputy Mayor Sapp made a Motion to approve **Resolution No. 2018- 064** – authorizing The Municipal Solicitor to initiate an appeal of the Assessment of Municipal Property located at 12245 Frankstown Road, Penn Hills, Pennsylvania, County of Allegheny.

Mr. Petrucci seconded the Motion.

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

Mr. Petrucci made a Motion to approve **Resolution No. 2018-065** – approving the acquisition and subsequent disposition of vacant property located at 945 Fineview Drive, 0537-F-00279-0000-00 in accordance with The Allegheny County Vacant Property Recovery Program and providing assurance that Acquisition is consistent with the Penn Hills Comprehensive Plan.

Deputy Mayor Sapp seconded the Motion.

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

## **ITEMS FOR CONSIDERATION:**

NONE

## **INTRODUCTION OF ORDINANCES, RESOLUTIONS, ETC.**

Deputy Mayor Sapp – I am not quite sure how I am to approach this under the introduction of Ordinances, Resolutions, etc., however, there is an issue that has been brought to my attention at 115 Golden Gate Drive. There is an Ordinance that has been put into place and the No. is 1235 and it has been in place since 1969. There is a young couple there husband, wife and three young children and they have a no parking sign put right in front of their home and down to Prosedo Court. So there are two homes on that side the one that I am addressing is 115 she is the only home affected because there is no parking there. So she has three little children, birthday parties, no quests, husband just had a couple of friends over for a hockey game, Police were called five times, Mom just had a brand new baby, Grandma came to visit, Police called for her to move the car so it is not blocking anyone who parks in front of her property nor adjacent to her home and the second home that is affected and he really is not affected because he has a corner lot he can fit cars in his drive way and he has the cul de sac there. So the only home that is affected is here. Brand new couple just bought the home about 2 years ago over \$100,000.00 home and she can't have anyone, no visitors at all. So I am requesting that we maybe are able to take the no parking off of the one

side of the street. Traffic Safety did go out and Scott you can help me if you want and they did review. There is a little crest in the hill coming up and over and they felt that it was a traffic issue or safety issue. I think and it is just my opinion just taking down those signs just in front of her home since she is the only home affected I mean three children that is a lot of birthday parties and a lot of activities and events that will be happening at her home and she wants to have Christmas dinner because she just had a new baby and they were going to have it at her home so they didn't have to take the new baby out. There is no parking there.

Mayor Kuhn – I understand that there is no parking on both sides of the street as I stated previously that that is really a difficult scenario because that way that anyone that has someone to visit them there is nowhere for them to park. But on this particular roadway if I am not mistaken and if memory serves me right it was determined because of the crest in the hill that it was a safety hazard. Now with your explanation I don't know if we could go back to the Traffic Safety Committee and see if they could revisit the Ordinance if they could make an acceptance for this one house. If that is what you are asking for?

Deputy Mayor Sapp – Just for the one house because she is the only one affected and she has three little children new born to third grade a lot of birthday parties and events and like I said she just had a new baby and Grandma came to visit and the Police were called. Where was Grandma supposed to park the car? She has a huge home but a very narrow driveway. They both work two cars one car is already in the garage and one in the driveway. I have visited several times and in my opinion any vehicles visiting for a short time would not cause any safety issue. Our public vehicles can definitely get down the street, the street is very wide. My concern is public safety already went out to do a reassessment and it is in their opinion that they feel because of that small crest so I am just asking if just they could consider maybe just in front of her area in front of her house.

Mayor Kuhn – Like I said we could ask them to revisit the situation. The only down part of this is being that they have initially stated that it was a traffic hazard and if the Municipality chooses not and I would have to ask the Solicitor if they would choose not to go along with their recommendation and God forbid there be an accident could then the Municipality be held liable for not taking the advice of the Traffic Safety Committee.

Craig Alexander – I think what you want to do is have the Traffic Safety Committee go out and look and see if there are any alternatives that could be put in to place so that these folks could have some relief and also be considerate to any apparent traffic considerations. If you have knowledge of an inherent condition there is always the possibility of there could be some liability.

Mayor Kuhn – O.K. so that is why I think the first step we have to do if we have our Traffic Officer, Officer Lape and the Traffic Safety Board revisit the situation to see if

there is any possibility making this one minor exception then the Municipality is not going against the recommendation. So does that suffice?

Deputy Mayor Sapp – Yes whenever that information gets back to them that you will ask them to go back out and revisit I think they were pretty solid on that but if you word it like that to them Scott I would greatly appreciate that.

Scott – I will certainly ask them to go and revisit it and do a little more homework there may be better signage or some alternative they could look at.

Deputy Mayor Sapp – O.K. and I would definitely appreciate that and like I said it is just for that one house. I just feel so bad and she invited the neighborhood to one of her events and I happen to be there and the Police was called.

Mayor Kuhn – Is that all?

Deputy Mayor Sapp – Yes. I just want you to just word this so they will just understand three little kids and never have a birthday party you can never have Grandma come visit I just really need them to understand what is happening here. Thank you.

Mayor Kuhn – I just want to ask the Manager to have the Solicitor look into an Ordinance if we need to have because of all the concerns of over time Mayor and Council have considered having just one meeting a month like we do in the summer that would save on all the costs for everyone on here other than Mayor and Council and that would be a big savings and really and truthfully they are here and they sit through the comments of the audience and other things which sometimes is very lengthy and they have every right to be paid for that so we are going to initiate one meeting per month and by doing so we will continue having a roll call for the expenditures twice a month so that our vendors don't have to wait that long for their payment and if anything comes up of great importance and can't wait until the meeting the Manager can always contact Mayor and Council by phone vote. So I don't know if we need to have an Ordinance on that but that will have to be decided by our solicitor.

Craig Alexander – Thank you Mayor Kuhn - Scott and I have been discussing this already and I know it has been a topic of discussion with Mayor and Council and there is in fact an Ordinance that requires Mayor and Council to meet two times a month at 7:30 and it even dictates the time so I prepared an Ordinance repealing that Ordinance and it allows Mayor and Council to designate the date and time for a regular meeting and to schedule special meetings on a special date and time.

Mayor Kuhn – I know that the Home Rule Charter only requires one meeting a month. And I do want it to be pushed up to 7:00 instead of 7:30 due to the fact being there is only one meeting it could last longer because there could be more Ordinances and Resolutions than on a two a month. So if we could make that change that it starts



at 7:00 P.M. and only once a month for the meeting and I know the Charter only says once a month.

Craig Alexander – I prepared the draft and I believe Scott will have it on the next meeting.

**REPORTS**

Deputy Mayor Sapp - I would just like to give my condolences to Bill Fralick who has passed away and it to be noted that Mayor & Council gave our condolences to the family. They are definitely in our prayers.

**ADJOURNMENT**

Mr. Petrucci entertained a Motion to adjourn.

Deputy Mayor Sapp seconded the Motion.

Mayor Kuhn - Meeting is adjourned. Thank you for attending. We were scheduled to have an Executive Session but due to the time that is up to the Manager.

The meeting was adjourned at 10:45 P.M.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAUREEN M. SORCE  
MANAGER'S SECRETARY