

PENN HILLS COUNCIL MEETING
October 19, 2020 Minutes

Mayor Calabrese called the meeting to order at 7:00PM. The meeting was held virtually and in person.

Mayor Calabrese announced there were no changes to the Agenda

Mayor Calabrese led the Pledge of Allegiance

Roll Call was called. Mayor Calabrese, Deputy Mayor Sapp and Councilmen Pecora and Petrucci were present. Councilman Getsy joined the meeting after roll call was taken.

Mayor Calabrese called for a motion to Approve the Minutes for the September 21, 2020 Council Meeting. Deputy Mayor Sapp made the motion. The motion was seconded by Councilman Petrucci. A vote was called and the minutes were approved unanimously.

Mayor Calabrese called for a motion to Approve the Expenditures. Deputy Mayor made a motion to approve the expenses, but withdrew it. The Municipal Manager explained that the draft agenda did not itemize the expenses, but the final agenda did. The Manager read the expenses.

Approval of Warrants

| | | |
|------------------|-------------|----------------|
| Journal Vouchers | 1 | \$3,203,249.00 |
| CD Requisitions | 7 | \$512,138.50 |
| Checks | 47685-47908 | \$4,478,073.93 |
| Total | | \$8,193,461.43 |

Deputy Mayor then made a motion to approve the expenses. Councilman Petrucci seconded the motion. The Municipal Manager noted that Councilman Getsy was now present. Mayor Calabrese asked for public comment and comment from the public. Hearing none, a vote was called for. The expenses were approved unanimously.

The Municipal Manager opened public comment on non-agenda items. Flecia Harvey addressed the mayor and council. The resident said she is being harassed by her neighbor, and has ongoing issues with her neighbor and the police. The resident said her neighbor is encroaching onto her easement.

Mayor Calabrese said that she met with the resident and the manager and police chief. The mayor said that the residents issues are known and she is being heard. Deputy Mayor Sapp thanked the residents for addressing council and said that she has been in contact with the resident, and is looking into the matter.

Mayor Calabrese called for a motion to approve Resolution 2020-50, Approving the Fiscal Year 2016 Home Consortium Grant Amount of \$168,439 Authorizing the Municipality's Participation in the Allegheny County Home Consortium Program and Approving the Execution of a Cooperation Agreement for the Administration of the Homebuyer Assistance Program.

Councilman Petrucci made the motion. Councilman Pecora seconded the motion. The mayor called for public comment. Christopher Barrett addressed council regarding a sinkhole at 723 Southern Avenue. The Municipal Manager addressed the resident's concern and took the resident's contact information. Christopher Blackwell addressed council regarding the resolution and explained the resolutions pertained to the municipality's home buyer's assistance grant funding. The Mayor called for comments from Council. Hearing none, a vote was called. Resolution 2020-50 was approved unanimously.

Mayor Calabrese called for a motion to approve Resolution 2020-51, Approving the Fiscal Year 2019 Home Consortium Grant Amount of \$110,072 Authorizing the Municipality's Participation in the Allegheny County Home Consortium Program and Approving the Execution of a Cooperation Agreement for the Administration of the Homebuyer Assistance Program

Councilman Petrucci made the motion. The motion was seconded by Councilman Getsy. A vote was called. Resolution 2020-51 was approved unanimously.

Mayor Calabrese called for a motion to approve Resolution 2020-52, Awarding Contracts to SE Construction Group, LLC in the amount of \$738,697 and JP Environmental in the amount of \$87,900 for the 2020 Plum Creek Sewage Treatment Facility Upgrade. Councilman Petrucci made the motion. Councilman Getsy seconded the motion. Mayor Calabrese called for comments from the public. Mayor Calabrese called for comments from Council.

Deputy Mayor Sapp asked for additional details on the item. The Manager explained that the contract was to upgrade the municipality's UV treatment system. The Manager explained that the improvements were initiated by overflows at the plant a year ago. Rick Minsterman of Gateway Engineers addressed the council and explained the project's purpose. Minsterman explained that there was too much flow passing through the UV system and exceeded its design. Deputy Mayor Sapp asked additional questions about the project timeline.

A vote was called. Resolution 2020-52 was approved unanimously.

Mayor Calabrese called for a motion to approve Resolution 2020-53, Awarding Contract to Elcon Technologies in the amount of \$111,060 for the Plum Creek Equalization Controls Upgrade Project. Councilman Petrucci made the motion. Councilman Getsy seconded the motion. Mayor Calabrese called for public comment. Resident Felix Catlin addressed council. The resident asked for clarification on whether the project

protects the streams. Mayor Calabrese called for comments from council. Deputy Mayor Sapp asked how the prior resolution was related. Rick Minsterman explained that the clarifiers were being replaced also, but was unrelated to the flows.

A vote was called. Resolution 2020-53 was approved unanimously.

Mayor Calabrese called for a motion to approve Ordinance 2020-2674, Amending the Penn Hills Zoning Ordinance, Establishing Provisions for the Regulation of Mobile Food Vendors as a Temporary Use. Councilman Petrucci made the motion. The motion was seconded by Deputy Mayor Sapp. Mayor Calabrese called for public comment. Resident Felix Catlin asked clarification on the ordinance. Resident Christopher Barrett addressed council and asked for additional clarification. Mayor Calabrese called for council comment.

The Municipal Manager explained that up until the ordinance, Penn Hills had no ordinance in place on food truck. He explained that the purpose of the ordinance was to allow food trucks in Penn Hills, and set parameters on where they can set up. Christopher Blackwell said that there has been demand for food trucks, but they were not permitted without an ordinance. He said that the trucks would be allowed on private property after they applied for temporary use permits. He explained the major provisions in the ordinance. Deputy Mayor Sapp asked if the program could be put on the website. She also suggested that we invite food trucks in so they know about the program. The Municipal Manager said that the ordinance was on the website and the municipality could add information about how to get a permit. The Mayor said that she would like to see the permit period extended beyond 30 days, and revisit the fees in January. Councilman Petrucci said he would like to see the fee lowered.

A vote was called. Ordinance 2020-2674 was approved unanimously.

Mayor Calabrese called for a motion to approve Ordinance 2020-2675, Amending the Penn Hills Zoning Ordinance, Establishing Provisions for Bed and Breakfast Homes and Short Term Rental Homes. Deputy Mayor Sapp made the motion. The motion was seconded by Councilman Pecora. The Mayor asked for comments from the public.

A resident addressed Council. The resident spoke about 109 Banyon Drive. The resident said that parties have happened at the property and the police had to come multiple times. The resident spoke against bed and breakfasts in Penn Hills. The resident spoke against the ordinance.

The Mayor asked for staff to address the concerns. The resident spoke out against the ordinance again. The Solicitor said that the municipality's purpose in the ordinance was to regulate the activity with short-term rentals. Resident Felix Catlin addressed council about 109 Banyon Drive, and the parties at the property. Resident Christopher Barrett addressed Council and said he supported the ordinance. The resident said that the ordinance needed improved. The Manager said that the problems with short-term rentals occurred in the absence of any ordinance, and the purpose of the ordinance was to regulate activity that is already happening.

Deborah Whitaker of 109 Banyon Drive addressed council. The resident said that she apologized for any issues with the property, and that the problems were not intentional. The resident said that the tenants ignored the terms and conditions of the contract, and that the party was shut down. The resident said she did not know there was a mass invite on social media.

Mayor Calabrese asked for Council comments. Councilman Jim Getsy asked who initiated the amendment, and asked why it was being looked at. The Planning Director said that due to increased inquiries about short-term rentals. The Planning Director spoke about short-term rentals and the reason for its drafting. The Planning Director explained the ordinance, and what the activities subject to it.

Councilman Getsy said the ordinance is a recipe for disaster for the community. The Mayor said that the ordinance would be solution to the problems, but requested a motion to table to ordinance to allow for more public input. A motion was called to table the ordinance. Deputy Mayor Sapp thanked Deborah Whitaker for participating in the meeting, and said there are many good bed and breakfast establishments in Penn Hills. Councilman Getsy said the ordinance was the start of deteriorating neighborhoods. Councilman Getsy said that he sees transient populations and parking issues, and people moving out because of the ordinance. He said the ordinance is unenforceable and the ordinance is definitely a bad idea. Councilman Petrucci said that the ordinance needed stronger language. The Planning Director said that it is understood that an offending applicant would have his license revoked. Councilman Getsy said that the ordinance is going to cause future problems and burdens on the municipality.

The Mayor again called for motion to table the ordinance. A vote was called. The motion to table Ordinance 2020-2675 was unanimous.

Mayor Calabrese called for a motion to Approve Change Order #2 in the amount of \$45,000 for Phase XII Sanitary Sewer Repairs. Councilman Petrucci made the motion. The motion was seconded by Councilman Pecora. Mayor Calabrese called for public comment. Mayor Calabrese called for comments from Council. A roll call vote was called. The motion to Approve Change Order #2 was approved unanimously.

Mayor Calabrese called for a motion to Approve Change Order (Deduct) in the amount of \$70,127.50 with Merante Contracting for a new contract price of \$71,547.50. Councilman Petrucci made the motion. Councilman Pecora made the second. Mayor Calabrese called for public comment. Mayor Calabrese called for Council comments. The Manager explained the reason for the savings. A vote was called. The motion to approve the Deduct was approved unanimously.

10. **ITEMS FOR CONSIDERATION:**

Councilman Petrucci said that the Council should adopt an ordinance to add additional council members, to be elected by ward. Councilman Getsy said that he supported the idea and said he would like to see more people representing the population. Deputy Mayor Sapp said that a few years ago she had explored the idea, and the origin of the measure. Deputy Mayor requested that there be a special meeting regarding the idea,

and said there was preliminary work that needed to take place before a referendum. Councilman Getsy said that there is momentum to implement the plan. Deputy Mayor Sapp said there is a lot that the change entails, and that should be taken into account. Councilman Getsy said that a ballot question answers the questions. Councilman Petrucci said in the first phase, the only thing to do is put the question on the ballot. Deputy Mayor Sapp said the municipality should involve the residents first prior to moving forward, so that the municipality can answer residents' questions about mapping and districts. Mayor Calabrese said she wants to hear from the residents and does not understand what the rush is. Mayor Calabrese said she does not want to have anything smack of segregation and hear from residents. Mayor Calabrese expressed concerns about the idea, and said a public meeting should be held. Councilman Petrucci suggested having a public meeting.

Councilman Getsy brought up issues pertaining to the Right to Know Law. The Municipal Manager and Solicitor addressed the matter.

The Mayor suggested extending the deadline for proposals to be received for McKinley Center. The Manager said that did not require a vote and suggested extending it to the end of the year.

11. **MAYOR AND COUNCIL REPORTS**

Councilman Petrucci said he met with Senator Jim Brewster and the state has budget concerns. He said janitorial services at the municipal building improved. He complimented the police department and reminded residents about upcoming events.

Deputy Mayor Sapp reminded residents about upcoming flu shot distribution.

Mayor Calabrese said that the police reports show that many crimes in Penn Hills are committed by non-residents. She complimented anti-litter groups and volunteers involved with beautification. She said she would like to see improvements made on Rodi Road.

12. **ADJOURNMENT**

The meeting was adjourned at approximately 9PM.