

**CITY OF DUQUESNE
TUESDAY, NOVEMBER 26, 2019
CITY COUNCIL MINUTES**

6:36 pm

Meeting was called to order by Councilperson Elaine Washington
There was a moment of Silence followed by the Pledge of Allegiance and Opening Prayer

Present: Richard Scott Adams, Terra Henderson-Murphy, Mayor Nickole Nesby,
Elaine Washington

Absent: Rev. Tim Caldwell, Debra Chaffin, Dave Gilliland

Others Present: Solicitor Myron Sainovich, David Bires, Chief Tom Dunlevy,
Administrative Assistant Marian Marko-Eberle, City Manager Douglas Sample

PUBLIC COMMENTS ON AGENDA ITEMS

**Mr. George Kraus approached the microphone prior to Mayor Nesby arriving and asked what he could rely on that he reads on Facebook regarding 40% criminal records in the City of Duquesne. Councilman Adams responded by saying “you need to direct that question to Mayor Nesby since he would speak for her.” Mr. Kraus also added that Mayor Nesby refers to the City Hall being unsafe. Councilperson Washington commented that nothing was brought to the Board Members attention that City Hall is unsafe. Mr. Kraus then asked should we the residents be afraid.

Chief Dunlevy spoke up to say that there has been a few incidences in the Water Department when a resident may become unruly, however, the police have stepped in to settle the situation down.

**Resident, Judy Kraus spoke from the audience to say Mayor Nesby is also saying the Board are not doing their jobs. At that point, Councilman Adams spoke up to say every month he has a report of his responsibilities. Councilperson Washington spoke up to say she believes they are all working up to their standard, but for any other questions or concerns she should speak to Mayor Nesby.

**Bethany Adams asked to speak stating she was a new citizen. She also stated she moved away for a while, but since she is back in the City of Duquesne she will be attending more meetings on a regular basis. Ms. Adams commented that she watched a video and feels as a black woman is doing everything she can to help the community. Ms. Adams then asked the Board what their thoughts were as to why Mayor Nesby is afraid. Councilperson Washington again directed Ms. Adams to address her concern to Mayor Nesby. Councilperson Washington asked to have it on record that she wished Mayor Nesby would be here to represent the woman of her position for the City of Duquesne.

At this point, Mayor Nesby added a side note that constituents have been known to come to City Hall and told the Mayor does not show up. Mayor Nesby feels convinced that no one takes any information from constituents for her. Mayor Nesby asked about a policy for handling these type of situations. Mr. Sample spoke up to say there is not a policy, but a procedure where anyone asking to talk to the Mayor is given the Mayor’s business card. Mayor Nesby then went on to

say that calls are not being transferred to phone line. Mayor Nesby requested for the name, address, telephone number, and concern be written up and sent to her. Mr. Sample responded her request to be redundant since she does have access to her own voicemail. Councilperson Washington suggested the Mayor to set aside a day, an evening, and/or a weekly time in City Hall to meet with constituents. Councilperson Washington stressed how constituents really want to meet with the Mayor directly.

Councilperson Henderson-Murphy asked the Mayor if she was planning on having Town Meetings where she could arrange to have security, since feeling unsafe in City Hall building.

Councilman Adams supported Town Hall meetings for constituents to come all at once for any concerns or questions they may have for the Mayor to address.

Councilperson Washington spoke up to say if the Mayor is not safe in the City Hall everyone then should not be safe. Councilperson then went on to say that there has not been anything in writing to the Council Members that Mayor Nesby feels unsafe coming to City Hall.

Another suggestion was to post a locked box on the first floor of City Hall along with a form for customers to complete a form to drop in the secured. The Mayor would have access to this secured box to pick up the contents to then follow up with constituents on a timelier basis or she would have someone pick the contents up for her.

Ms. Adams asked another question as to where do emails go for Mayor Nesby and how does she get her emails. The response was that emails are sent directly to Mayor Nesby.

CONSENT AGENDA

1. Approval of Minutes – October 22, 2019 and November 12, 2019

Councilperson Henderson-Murphy stated she would make a motion on both the Minutes and Bill List with any necessary corrections

Mayor Nesby stated she had a problem making a motion due to only receiving both the Minutes and Bill List today, Tuesday, November 26, 2019 and did not have time to review.

First: Councilperson Henderson-Murphy **Second:** Councilman Adams **Motion** carried 3-1

Bill List – November 26, 2019

First: Councilperson Henderson-Murphy **Second:** Councilman Adams **Motion** carried 3-1

MOTION: I move to approve the November 26, 2019 Consent Agenda.

PUBLIC SAFETY

1. Report from Mayor Nesby – No Report

PUBLIC WORKS

Councilperson Washington made mention of the work being done throughout the City of Duquesne. Councilperson Washington pointed out the Christmas decorations being displayed and how Public Works employees have been coal patching the pot holes around the City. Councilperson Washington also said should a resident/s have any concerns they are welcome to contact her and/or the Doug Sample, City Manager.

WATER DEPARTMENT

Councilman Adam's reported on the following:

On 11/6/19 bacteria samples were collected from three locations; McDonalds, Meyers & City Hall which all samples proved to have clean results.

On 11/12/19 Public Works employees started the shut offs throughout the City.

On 11/13/19 the KOPKIT discussed at the last few meetings has been ordered.

On 11/13/19 Mr. Frank DiPaolo of the Water Department attended a seminar concerning reporting and compliance for water testing.

On 11/19/19 fire hydrants were replaced at Dell Street and Kennedy Avenue

On 11/20/19 bacteria samples were collected at Burns Avenue, Sunoco location and Rossner Avenue which all samples proved to have clean results.

Councilman Adams then reported on the delinquent water accounts which had a starting balance on 11/1/19 was \$112,431.41. On November 25, 2019 \$61,676.45 was collected and \$50,754.95 carried over.

Councilman Adams explained the upcoming garbage pickup schedule by giving the alternative days and dates. The Thanksgiving Thursday's garbage collection would be picked up on Friday, November 29, 2019 and the Friday recyclables would be picked up Saturday, November 30, 2019.

1. Resolution – PA Small Water and Sewer Program Grant

MOTION: I move to adopt Resolution No. _____ requesting a PA Small Water and Sewer Program Grant in the amount of \$500,000.00 from the Commonwealth Financing Authority.

First: Councilperson Henderson-Murphy **Second:** Councilperson Washington
Motion carried 4-0

2. Resolution – H2O PA Grant

MOTION: I move to adopt Resolution No. _____ requesting a H2O Grant in the amount of \$500,000.00 from the Commonwealth Financing Authority.

First: Councilperson Henderson-Murphy **Second:** Councilperson Washington
Motion carried 4-0

COMMUNITY AND ECONOMIC DEVELOPMENT – Not Present – No Report

MOTION: I move to approve the updated list of properties as submitted by the Engineer for demolition.

First: Councilperson Henderson-Murphy **Second:** Councilperson Washington
Motion carried 4-0

ACCOUNTS AND FINANCE

Councilperson Henderson-Murphy had the 1st Reading of the proposed Budget EIT Water Fee and Mileage Ordinance. The City of Duquesne 2020 Budget would be advertised Sunday, November 24, 2019 and a hard copy of the 2020 Budget would be available in the City Manager's Office to view, Monday December 2, 2019. Councilperson Henderson-Murphy appointed Douglas Sample as the Primary Delegate to the Allegheny County Southwest Tax Collection District.

Mayor Nesby expressed her problem/concern with the choice of a union employee serving on this committee for two reasons:

1. Overtime would be paid to a union employee
2. Mayor Nesby asked to be the delegate, but never heard anything back

Councilperson Henderson-Murphy spoke up mentioning Autumn Milton had not accepted the position to serve to date. However, City Manager, Mr. Sample interjected he is willing to consider Autumn as a delegate due to her already tax collection experience in the Tax Office. Councilperson Henderson-Murphy asked the Mayor Nesby not to take the selection personally because she, Councilperson Henderson-Murphy, took into consideration Mayor Nesby just had too much on her plate. Councilperson Henderson-Murphy ended her thoughts by saying "if Autumn declines the position Mayor Nesby would be appointed."

Councilman Adams asked how often did the committee meet and was it required that a mayor be on board. Per Councilperson Henderson-Murphy it is not required that a mayor serve, then added the committee will not meet until next year, 2020.

At the end of the discussion, Mr. Sample added there would be no overtime due to meetings being held during the day. Per Mr. Sample, meetings are once a year.

At this meeting, there was not a vote to appoint a Delegate and/or an Alternate Delegate to the Allegheny County Southwest Tax Collection District.

TREASURER

Mr. Bires provided the following Treasury report for the month of October 2019:

Taxes collected for October 2019 were \$ 13,639.33. Mr. Bires provided a year-to-date full breakdown of money collected by Keystone Municipal Serves, Jordan Tax Services and MBM Collections – see attachment.

Mr. Bires reported the delinquent Real Estate Taxes in the amount of \$89, 841.64 and Lien Taxes was \$215,365.00. Mr. Bires also mentioned there were 22 new water accounts sent to Jordan Tax Service which they will check against their tax list.

SOLICITOR

Solicitor Sainovich announced that the bill for Cargrill is being approved at tonight's meeting and confidentially reported "good news" that the City of Duquesne will have salt for the upcoming winter months.

Solicitor Sainovich then mentioned that he will be working with Mr. Sample and the Act 47 Coordinator, Mr. Dougherty, regarding the demolition planned for next year, 2020 for the City of Duquesne.

Solicitor asked Mayor Nesby if she wanted to review the Ordinance for filming in the City of Duquesne, at which Mayor Nesby responded "yes" she wants to review.

CITY MANAGER

Mr. Sample talked about the administrative server needing replaced by the end of this year, 2019. Mr. Sample laid out below the four quotes the City solicited for this purchase:

David Davis

Server w/Locking Cabinet	\$7,605.00
Serer w/o Locking Cabinet	\$5,785.00
Monthly Service	\$1,600.00

PM Computing (current provider)

Server w/Locking Cabinet	\$6,593.34
Serer w/o Locking Cabinet	\$8,580.99
Monthly Service	\$1,420.00

Computer Fellows

Server w/Locking Cabinet	
Serer w/o Locking Cabinet	\$5,659.00
Monthly Service	\$2,270.00

DEP Technologies

Server w/Locking Cabinet	\$8,112.05
Serer w/o Locking Cabinet	\$7,257.05
Monthly Service	\$720.00

It is the understanding that whoever, the City Decides to purchase the server from, that company will become the City's new IT Provider.

Labor for the install of the server is not accounted for in this analysis because the providers don't have a firm time allotment for the migration. However, it appears that the hourly rates for each provide are relatively comparable (\$110/hr.), so the labor costs will be consistent for the install. Moreover, the monthly service fee does not include on-site service. This would be billed, again, at the \$110/hr. rate.

Mr. Sample makes the recommendation that we choose DEP Technologies. Mr. Sample states the price of the server is higher, but the City will save on the monthly service fees, which will result in significant savings over the coming years.

Mr. Sample announced there would be a City of Duquesne Workshop meeting on Tuesday, December 10, 2019 and a Special Meeting scheduled for December 17, 2019 to address the 2020 City of Duquesne Budget.

MOTION: I move to authorize the City Manager to enter into an agreement with DEP Technologies, Inc. to provide the City with Information Technology Services and to purchase a server for the administrative computer system.

First: Councilman Adams **Second:** Councilperson Henderson-Murphy
Abstained: Mayor Nesby **Motion carried 3-1**

POLICE DEPARTMENT

Chief Dunlevy reported the following activity of the Police Department for the month of October 2019:

A total number of events were 961.

There were 53 adult arrests and three juveniles' arrests.

Criminal Cases initiated were 85.

The number of reportable crashes with Injury or requiring a tow was 2.

The minor crashes non-reportable were 5.

Chief Dunlevy announced the resignation of Officer Carter to be December 1, 2019, Officer Carter was hired by the City Housing Authority.

Councilman Adams brought up a question regarding an officer being present at the Council meeting and if an officer was needed to attend Workshop and Council meetings. Chief Dunlevy commented the reason an officer was present was because approximately three meetings ago it was requested to have an officer at every meeting. Councilman Adams asked Chief Dunlevy if he felt it was necessary to have an officer present in full uniform.

Chief Dunlevy replied "no" and then added he himself was dressed in full uniform when he attends the meetings, which would serve the same purpose of security.

Councilman Adams asked Chief Dunlevy if the Mayor has spoken to him about any safety concerns or any potential threats made against her. Chief Dunlevy, said that she had and that he investigated the complaints and found no criminal acts.

Chief Dunlevy's last item was to inquire about an old police vehicle that was being offered to the Fire Department, however, the Fire Department declined the offer due to not wanting to use Fire Department funds. Solicitor Sainovich asked the Chief the value of the vehicle to which the information was not available. Chief Dunlevy did mention the transmission is no longer properly functioning in the vehicle. There was also a brief discussion on bidding the vehicle vs sailing the vehicle. Chief Dunlevy asked if a process could be started to move the broken down vehicle along.

ACT 47 COORDINATOR

Mr. George Dougherty mentioned it has been a busy month. Mr. Dougherty proceeded to speak on the following Evaluation Resources activities that assisted the City of Duquesne this past month (October 2019):

- 1) Consultation with Mayor, Council, City Manager, and Interim City Managers via phone and in-person.
- 2) Facilitated a monthly planning workshop with City Manager, Mayor, and Council.
- 3) Consulted with Interim City Managers (MaryLouise Bittner and Virginia Finnegan) where they reviewed city operations, budget processes, and city financial reports.
- 4) Reviewed current financial information, grant applications, and operating procedures/policy manuals.
- 5) Regular meetings with DCED representatives to assess city progress on urgent and necessary activities.
- 6) Consulted with Mayor Nesby and Council regarding multiple personnel concerns.
- 7) Hired a permanent City Manager, Douglas Sample!

- 8) Prepared a transition document for new City Manager, Douglas Sample.

9) Participated in labor negotiations for police, blue collar, and clerical unions.

Mr. Dougherty then made mention the 2018 audit is almost done and the first half of the 2019 vouchers will be entered into the Harris System in the next few weeks by CrawfordEllenbogen, LLC.

FIRE DEPARTMENT – Not Present – No Report

POLICE CITIZEN’S REVIEW BOARD – Not Present – No Report

7:33 pm

A motion was made to enter into Executive Session

First: Councilperson Henderson-Murphy **Second:** Councilperson Washington
Motion carried 4-0

End of the meeting comments from Public and Council:

An unknown resident made a comment that she read the Council are not doing their jobs. Councilman Adams stated that he prepares and presents a report of updates at every minute. Councilman Adams also replied by saying “he believe he is doing what he is supposed to do in his position and for the City of Duquesne.

There was a question as to a lite fixture needing to be repaired. The response was that a citizen had reported it to Duquesne Light and they came out and repaired it.

Mayor Nesby made a comment that whenever she sends out emails she never gets responses back. Two examples Mayor Nesby referred to were:

- **An email sent out regarding information on Liquid Tax - no response
- **An email to Mr. Dougherty about Education Training – no response

Councilperson Henderson-Murphy responded by saying it is best if everyone just works together.

Before the meeting ended Mayor Nesby asked if there were any trainings available. Per Solicitor Sainovich the Governor’s Action Group provides free publications on line that the Mayor could access.

Mr. Dougherty also mentioned there are classes through Local Government Area (LGA) who are still accepting applications. Mr. Dougherty highly recommended the Council and Mayor should take full advantage of the classes. Mayor Nesby asked if the classes were online. Mr. Dougherty answered “no” due realizing the quality was not up to their standards. However, Mr. Dougherty did mention there were additional financial courses online for a fee with discounts.

7:43 pm

MOTION TO ADJOURN

First: Councilperson Washington **Second:** Councilperson Henderson-Murphy
Motion carried: 4-0

Mayor Nickole Nesby

Marian Marko-Eberle