

City of Duquesne
Regular Council Meeting
Tuesday, June 25, 2019
Minutes

The meeting was called to order at 6:31PM and opened with a moment of silence, the Pledge of Allegiance to our flag and a prayer.

Present: Mayor Nesby, Rev. Caldwell, Mrs. Henderson-Murphy and Ms. Washington.
Also Present: City Treasurer David J. Bires, Interim City Manager MaryLouise Bittner, Police Chief Thomas Dunlevy, Fire Chief Frank Cobb, Interim Public Works Director Demeco Poindexter, City Engineer Dave Gilliland and City Solicitor Myron Sainovich
Absent:
Excused:

Accounts & Youth Services - Vacant: No report.

Water Department/Dept. of Environmental Resources - Ms. Washington: Councilwoman Washington gave her oral report.

Dept. of Streets & Public Works - Mrs. Henderson-Murphy: Councilwoman Henderson-Murphy gave her oral report.

Dept. of Properties & Community Development - Rev. Caldwell: Rev. Caldwell gave his oral report.

Mayor's Report - Mayor Nesby: Mayor Nesby gave her oral report.

Solicitor's Report - Myron Sainovich: Mr. Sainovich gave his oral report.

Police Chief's Report – Chief Thomas Dunlevy: Chief Dunlevy gave his oral report.

Interim Public Works Director's Report - Demeco Poindexter: Interim Director Poindexter gave his oral report.

Interim City Manager's Report - Mary Louise Bittner: Interim Manager Bittner gave her oral report.

City Engineer's Report - David Gilliland: Engineer Gilliland gave his oral report.

Controller's Report – Vacant: No Report.

Fire Chief's Report- Chief Frank Cobb: No Report.

Treasurer's Report - David J. Bires: Treasurer Bires gave his oral report.

ACT 47 Coordinator's Report - George Dougherty: The Act 47 Coordinator gave a report.

Public Comments on Agenda Items

No public comments on the agenda items.

Public Comments

Keisha Blacksher of 139 North 3rd Street asks what's the proper procedure to notify someone about water issues. Ms. Blacksher states that she has had her water tested and the results were not good. Ms. Blacksher states that when she comes to the Water Department about her water that she is told by someone that isn't their job. Ms. Washington asks Ms. Blacksher who she spoke to in the Water Department that said it wasn't their job. Ms. Blacksher states that she did not get the person's name and continues to state that for her personally she has a filtered water system in her house after she had brown water issues and that she also has before and after pictures of her children's skin conditions that states that there are issues with the water and the filter being brown. Ms. Blacksher states that she has proof that the quality of water isn't good and that she needs to know who to talk to. Ms. Washington states that what you are doing now is correct. Ms. Washington states that right now you are the only one with an issue on that street so what we will do is send one of our guys to check your lines rather than just to say it's your end or our end. The gentleman will bleed your lines to see if that will help your issues and if not he will then test the water from your faucet. Ms. Blacksher asks how would she know, will they contact me? Ms. Washington responds no, and asks Ms. Blacksher for her telephone number and then she can send someone to test the lines but the proper channel is to see Jaqui in the Water Department and she will relay all this information and send someone up there. Ms. Blacksher states that her other issue is the website for the Mayor of the City of Duquesne and asks if there is a time frame when that should be up because people are not going to know who to contact or what Council people to contact for the issues they may have. Mayor Nesby responds stating that we actually had a volunteer who was starting their own business and wanted to use the City of Duquesne as a starter to do the website at no charge. Mayor Nesby states that it took us three months to get it to Council and vote on it and since then she has been busy designing other web pages. Mayor Nesby states that she has not had the opportunity to reach back out to her but initially she wanted to use us as her first platform and offer to do it for free. Ms. Blacksher asks if there is something down in the office in the meantime to let you know what person to contact if you have an issue such as grass cutting. Mayor Nesby tells Ms. Blacksher that all the employees downstairs can tell you what department you would need to see for whatever issue you may have. Mrs. Henderson-Murphy informs Ms. Blacksher that she can call Susi for any complaint and offered to give her the number. Mrs. Henderson-Murphy states that Susi can also get in touch with Council and that her idea is a good one and maybe we can get our pictures put downstairs with the departments but the number for Susi is 412-469-1166.

Sandra Dean of 834 Catherine Street states that she has been living in Duquesne for some time now and is here on behalf of Duquesne's yard and property. Ms. Dean states that she has done a lot of investigating and that she is also trying to buy property for the youths and teenagers. Ms. Dean states that she has been going down this road for at least five years. Ms. Dean states that her concern is for two years you all hired a lot of people who live in Duquesne and I watched

them take care of the yards and your lawn mowers are broke but yet they continued to take care of property. This year there have been six of them that have not been hired back and they were promised jobs and I'm hearing that the reason that they were not working is because they have backgrounds. I know it's wrong because we all have a background. Ms. Dean continues to say if they were able to take care of everything that the City was not taking care of they were hired seasonally and they check their background the year before and the year before that. Ms. Dean states that they are still entitled to have another job and that we all need a fresh start. Ms. Dean continues on to say that they didn't do anything last year and she doesn't understand why they were not hired back this year. Ms. Dean states that she is sitting over here looking at my property and the lots because when they were working for the last two years those lots were already done right now. Ms. Dean says that she has groundhogs running through all of her property and she feels that it's wrong because they were out here working when your City workers were sitting in trucks and states that she has pictures. Ms. Dean states that she is a business person and we all have a background but if you hired them last year and the year before last for six years, you're telling me that you all are not going to give them the right again. Ms. Dean states that everyone that is sitting out here has a background and we have all done wrong and states that Jesus isn't done with us yet because if he was he would have been done with Moses who led everyone out of Egypt. Ms. Dean states that she has to stand up for them and she doesn't care how old they are because she states that she has a background also. Ms. Dean states that this is wrong and there is property all over and she rides around all over looking for a building to house these children, teenagers and seniors. Ms. Dean states that she isn't asking you all for any money and continues on to say that she and her family has been trying to get property to do this for the last six years. Ms. Dean asks why this wasn't systematically done at McDonald's for 11 years. Ms. Dean states that she and her family is still doing it. Ms. Dean continues on to say the thing about these children and these grownups, yes they get unemployment right now but they should be working and these fields should be done. Ms. Dean states that she and her neighbors come out of their pockets to make sure they have gas to put in their lawn mowers because you all didn't hire them this year because they have a background. Well so do you all. Ms. Dean asks who gives us the right to condemn them. Ms. Dean continues on to that it's wrong and that she needs you all to put them back and make it right.

Police Chief Dunlevy responds stating that what the City began doing this year is actually doing a background whenever an employee is hired or recommended by the best business practices. Chief Dunlevy continues on stating that when you are looking at a public works employee they're going to be in the playgrounds, they're going to be in the ballfields and they're going to be out in the public and that's not our choice but the state mandates the law called the Act 33/34 Clearances. Ms. Dean states that she knows what that is and that she is a paralegal. Chief Dunlevy continues on saying that when we get applications in, the very first thing we do is screen every applicant for Act 33/34 compliance and if the person does not pass that we cannot possibly hire them.

Ms. Henderson-Murphy addresses Ms. Dean saying that she is the Councilwoman in charge of the Street Department and, unfortunately, we do have to do background checks and that she too believes in second chances but there's only certain things that they can do but if you ever see anything like a public works employee sitting in a car and not doing work like they are supposed

to please call that number and let us know because they are getting paid to work and not sit in trucks.

Nicole Garritano states that she is not a resident of Duquesne and that she is the president of a small non-profit organization called Proper Pit Bull. Ms. Garritano states that they are an education outreach advocacy group focusing on pit bulls and dogs. Ms. Garritano continues on introducing Ms. Sarah Shively who is with Human Animal Rescue which is the largest shelter located in the City of Pittsburgh and surrounding areas. Ms. Garritano states that we are also partnering with another small non-profit rescue called Biggies Bullies and they also rescue pit bull type dogs as well. Ms. Garritano states that what we would like to do is propose a community outreach event in your City in partnership with our three organizations. It is a completely free program offering free vaccines for dogs and cats, free spay and neutered vouchers, free food and we are talking about doing free nail trims as well, free equipment (proper collars, harnesses, leashes et cetera). Ms. Garritano states that the reason that they are doing it is because there are other organizations in the Pittsburgh and surrounding areas that are doing things similar to this. Ms. Garritano states that you go into areas and you provide these services for people whether they can afford them or not, it's all about helping responsible pet owners but ultimately helping the dogs and cats with the ultimate goal with coming down on the pet violations in the community. Ms. Garritano continues on saying that they are doing this in Arlington, Braddock, Homewood, Northside and other communities. Ms. Garritano states that we provide various vet techs, the volunteers, all medical supplies, tents, tables, et cetera, potentially 1-2 mobile units where we can vaccinate cats and smaller dogs. Ms. Garritano states that there is no cost to the City at all and continues on saying that we will be getting grants potentially, fundraising amongst our three organizations through events and potentially Go Fund Me and we will be using our own funds to help as well and for soliciting donations from our supporters for money and supplies as well. Ms. Garritano continues on saying that as far as advertisement goes we'll only do it a short time because we want to keep it in the community. If someone comes from the surrounding area we will not turn them away because it's all about offering these services and ultimately their pets but we will flyer the area and various businesses if they will allow us and canvas neighborhoods with your permission of course. Ms. Garritano states that we will start about two weeks out, we want to be able to let people know who we are, what we are doing and give them the details. Ms. Garritano says that we would really like to do it on a Saturday in September if at all possible, either the 21st or the 28th. We will come into the area around 8AM for setup and the actual vet is usually from 10 to 2 and if we have lines of people waiting to get services we certainly are not going to turn them away at 2PM; we will of course stay until the work is done. Ms. Garritano states that what we basically need from you all is your support ultimately but also we need your help finding a location for us to do this preferably with running water. We don't need to get inside the building and we will do this rain or shine but if there is a hose or somewhere we can hook a hose because our veterinarians prefer an area with running water but it can be a park. Ms. Garritano states that Braddock does it in their dog park right along Braddock Avenue and it's done on the Northside in just a parking lot so we need your help with that and assuming you'll allow us and your community to do this and you help us find a location. We will scout for a location and we'll have a map of the day and everything will be very mature and very organized. Ms. Garritano continues on saying that it's all about keeping the people that are attending safe but also their pets so we have tons of experienced handlers, we have obedience instructors that will be on site as well, in addition to our veterinarian staff and vet

techs. Ms. Garritano says as far as a police presence goes we, of course, want them to go to the community that day and what we are doing but we don't need them to be on site unless we, of course, need them we would make a call to get them there. Mayor Nesby asks Ms. Garritano if she has a flyer that she can have. Ms. Garritano states that she has a pamphlet about our organization, who we are and what we do. Mayor Nesby asks Ms. Garritano if her contact information is on the flyer and Ms. Garritano responds with yes. Mayor Nesby asks if she can make sure that she gives the City Manager the information. Mayor Nesby continues on saying that as long as Council doesn't have a problem with this we will put on our workshop agenda for next month and vote on it then.

Jaquaya Mills of 502 Ferndale Avenue states that she has been residing in the City now for about a year now. Ms. Mills states that when she moved here she was interested in a resource center. Ms. Mills said the first available was the library to find out what was going on and then she found the Business Innovation Center. Ms. Mills continues on saying that she is a very fortunate person and that she would like to be able to contain that through other people but she wants to know how can someone know about the local academy courses or if you are a business startup. Mayor Nesby responds saying that one you can attend the Council meetings on a regular basis and we will have everything for everyone to see on the City of Duquesne's website. We've asked volunteers to come down and video, we've asked for computers, we've had suggestions for a newsletter but again those are all suggestions. Mayor Nesby states that we actually need physical bodies to participate in order to move from point A to point B and so far it just hasn't happened. Mayor Nesby continues on saying that the community hasn't come together. Mayor Nesby continues on saying that she sees a lot of different complaints towards people that need restraints shopping on the internet about issues we are having but still those individuals that are complaining do not show up and as far as you saying that too. Mayor Nesby states that we can't do it by ourselves most of our Council people have full time jobs and they are trying to do right by the community as well. Mayor Nesby continues saying that we actually need the community to participate and if you are interested in writing a newsletter or something along those line please let us know. Mayor Nesby states that we did have a grant for a Comprehensive Recreational Study in the amount \$17,800 that we received in June of last year but we still haven't been able to put together 10-12 people from the community willing to meet consecutively to decide on what you want your recreation center for your children to look like.

Mrs. Jerrie Lundy of 623 South 5th Street states that two weeks ago she was in her bathroom and she heard someone say come look at this so she says she hears the garbage truck and looks out the bathroom window. Mrs. Lundy states that the garbage truck's driver, a female, has a manila envelope in one hand and three white envelopes in another hand and the female is telling this guy to come look at what she has and Mrs. Lundy says that she is reading it. Mrs. Lundy asks is that policy, procedure and/or practice for the garbage company, County Hauling used to read peoples mail out of their garbage. A man asks if they were reading your personal mail and Mrs. Lundy responds, "Yes." Mrs. Lundy continues on saying that she came down and spoke to a couple different people and the one lady sent an email. Mrs. Lundy states that she talked to Ms. Tiny (Elaine Washington) about it. Mr. Sainovich interjects introducing himself as the City Solicitor and states that he received an email regarding that complaint. Mr. Sainovich states the once someone places their garbage at the curb it is considered garbage and if in fact those people want to read the mail that's in the garbage there is nothing that prevents them from doing so because

you have thrown it out. Mrs. Lundy responds saying that she understands all that. Mr. Sainovich states that the only thing that he can suggest is if you don't want your mail read is rip it up or shred it. Mrs. Lundy reiterated again that she understands all that but she wants to know if it is the garbage company's policy, procedure and/or practice or is it written down that it is okay for the garbage company to go through people's garbage and read their mail. Mrs. Lundy states that she also approached the female to ask why she was going through her garbage and reading her mail. Mrs. Lundy says that the female called her inappropriate names and is that part of the garbage company's policy, practice and/or procedures. Mr. Sainovich says that the only thing we can do is express your concern and that we have the name of the gentleman that came to meet with us that said if there are complaints that we should direct them to him and that is Elaine's committee. Mr. Sainovich states that we can let him know that inappropriate language was used and that the workers should not be going through peoples' garbage and reading their mail. Mr. Sainovich says that there is nothing written in the contract that limits them or allows them to do certain things. Mrs. Lundy says that she just wants clarification on that. Mrs. Lundy also asked that the garbage company submit a written apology for the language used towards her because she helps pay their salary. Ms. Washington asks everyone to call Ms. Susan with the complaints so that the City has some kind of paper trail for this company.

Rev. Elwood Martin of 900 Liberty Street. Mayor Nesby interrupts asking Mr. Martin how the lighting out by his residence looks. Mr. Martin states that nothing has changed; still looks the same. Rev. Martin says the reason that he is here is because he is a retired Air Force veteran who spent ten years in active duty and five years in the Reserve. Rev. Martin says that he was approached by three people about what's happening in the Memorial Park that was dedicated by Senator Logan, Mayor Krivacek and myself. Rev. Martin says that it was dedicated in peace, tranquility and purdah; it's in disturbed hands but I'd like to report back to people and tell them that the Memorial Park is still for peace, tranquility and purdah. Rev. Martin asks who he talks to. Mayor Nesby asks if something took place for the questions to come about the Memorial Park. Rev. Martin responds saying the music, dancing, boom box, cussing and fussing. Mayor Nesby asks Rev. Martin for a date and time this happened and Rev. Martin says he wasn't aware of the date and time. Mayor Nesby asks Council were they aware of this? Rev. Caldwell responds saying there was a time that there was music but there was no cussing music. Rev. Caldwell continues on saying that one thing about a park it's a public park and anybody is allowed to use a public park. Now when comes to where the names and stuff are nobody should be around there because that is dedicated to the veterans who served. Rev. Caldwell states that when you have benches out there for the public/people to sit there, they are allowed to be on that public property and the only thing that we can do is make an ordinance for example we have an ordinance that there will be no smoking in that portion of the park and playgrounds but other than that the people are allowed to be in the park. Rev. Martin responds saying that we want people to go there and recognize what occurred, why these names are on that wall and those who have served such as myself and other people. Rev. Caldwell says that he understands their complaints but nobody is complaining whenever they have the Christmas event there or anything else so I don't understand why there is complaining about somebody using the park or the general recreation that takes place. Rev. Martin says that when he was on Council he had a group thrown out of there because they had microphones and things and Chief Lefty Adams told them they had to move. Rev. Martin says that's not what this is for, so how do I report that back to them? Rev. Caldwell says we as Council will have to sit down and come up with an ordinance on

the use of the park. Ms. Washington addresses Rev. Martin saying that at the time of the complaint she was in the park along with officials that were running for office and we invited everyone to come talk to us and press us with any questions that the residents of the City may have. Ms. Washington states that we got an approval from the City to be there and we gave away free hotdogs to the children and we talked to anybody that came by with any questions or concerns. Ms. Washington says that she knows who you are talking about because she came across the street and got into the DJ's face and also got really irate with him. Ms. Washington says that she approached the lady and asked her what the problem was and she got into my face. Ms. Washington states that she then asked the lady what her name was, the lady said no that she doesn't care what my name is and that you are not getting mine, instead us of trying to have a conversation about this then you wouldn't have had to come in and have this conversation about this. Ms. Washington says the lady just wanted to be heard she didn't even want to talk to us she turned and left; so had the conversation been had, you wouldn't be here having this conversation now.

Clifton Pitts, Chairman of the Mon Valley Action, states that he is here to address Mayor Nesby asking why she would make an accusation on YouTube or one of those telephone places pertaining to the Mon Valley disrupting and giving account to bad formation. Mr. Pitts says that this type of accusation was made and that he is here to inform you, Mayor Nesby, first of all that is something that we did not do and I as chairman did not do that. We have an open forum which Council was invited to that forum along with other municipalities. Mayor Nesby interrupted Mr. Pitts saying that she is a member of Council and that you did not notify me. Mr. Pitts says that she was invited along with everyone else. Now if you did not show up that is up to you young lady. Ms. Washington interjects while Mr. Pitts and Mayor Nesby are both speaking and asks can we please finish hearing what Mr. Pitts has to say. Mr. Pitts continues on addressing Mayor Nesby saying that he will not have you Mayor or anybody else in this valley misuse the Mon Valley's name about doing something illegal because that is something we do not stand for and I know those on Council understand that. Mr. Pitts continues on saying that he is not pleased with that because we do nothing expect good things for this town. Mr. Pitts says that he was born and raised in this community and all we do is try to help this community along with the rest of the Valley but for you Mayor to go on record to say something like that, I am totally displeased with you.

Old Business

2. Motion to authorize the Interim City Manager to write a letter on behalf of the Mayor and Council opposing HB 349 so that the City of Duquesne retains the choice of having one or multiple third-party enforcement agencies.

First: Mrs. Henderson-Murphy. **Second:** Ms. Washington. **Motion carried:** 4-0.

Ms. Washington asks if an item on the agenda was skipped. Mayor Nesby responds, "Yes," and Ms. Washington asks why. Mayor Nesby asks Ms. Washington are you calling me stupid. Ms. Washington responds no and Mayor Nesby states that they do not go in order but she will call it. Ms. Washington states that she was just asking.

3. Motion to authorize creating and advertising a Tree Ordinance.

First: Rev. Caldwell. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 4-0.

4. Motion to authorize creating and advertising a Litter Ordinance.

First: Mrs. Henderson-Murphy. **Second:** Ms. Washington. **Motion carried:** 4-0.

5. Motion to acknowledge the seasonal workers on Park and Recreation Professionals Day on July 19.

First: Rev. Caldwell. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 4-0.

6. Motion to authorize the Interim City Manager to write a letter on behalf of the Mayor and Council to the Norfolk Southern Railway regarding the Pittsburgh Vertical Clearance Project (PVCP).

First: Mayor Nesby. **Second:** Ms. Washington. **Motion carried:** 4-0.

7. Motion to authorize the City Engineer to bid for an igloo for salt and a salt truck utilizing Liquid Fuels funding.

First: Mrs. Henderson-Murphy. **Second:** Rev. Caldwell. **Motion carried:** 4-0.

8. Motion to authorize participation in Cost-Sharing for 75% for the construction and design costs for the waterline facilities for the PA turnpike Commission's proposed Mon/Fayette Expressway project.

First: Mayor Nesby. **Second:** Ms. Washington. **Motion carried:** 4-0.

Rev. Caldwell questions if the 75% is our share of the cost to pay. Mayor Nesby responds saying that we are not paying 75% and that we already have our 25% which is roughly about \$125,000; they are footing the rest of the bill. Mrs. Henderson-Murphy states that we should re-do the motion because of the way it's worded, it's looks as if we would be paying 75% instead of paying 25%. Solicitor Myron Sainovich says, "That's correct the motion should say participation in Cost-Sharing for 25%."

9. Motion to allow Duquesne Light to access City-owned property for soil testing for relocating electric transmission lines in support of the Mon-Fayette Expressway project.

First: Rev. Caldwell. **Second:** Ms. Washington. **Motion carried:** 4-0.

10. Motion to authorize signing an agreement with Pennsylvania-American Water Company (PAWC) for the City to provide water consumption reports to PAWC so that PAWC can bill customers for wastewater services based upon the consumption amounts provided.

Ms. Washington asks to table the motion until we have PA American come here and meet with Jaqui and Frank. Mayor Nesby says that we already provided American Water, Ms. Washington interjects and states that she see the contract but they never met Jaqui and Frank to see the exactly what they'll actually be doing. Mayor Nesby says that every single amount Jaqui provides to them is illegal but Ms. Washington interjects saying that she understands all that. Ms. Washington states that PAWC is asking for different billing than what's in the contract and then there are going to be terminations for Frank. Ms. Henderson-Murphy responds saying that maybe they can provide a spreadsheet or an example of what they are doing. Ms. Washington says that you are signing a contract and the employees have yet to meet these people that do the work and

they don't even know what they will be doing except for what the contract says they should be doing. Ms. Washington says that she doesn't know if the employees have any questions for them. Mayor Nesby says that we have had this information since April and we're in June and you are just deciding that you want to go and have the employees look at it and asks Ms. Washington didn't she have the information beforehand. Ms. Washington replied saying that you Mayor know doggone well that I don't get the reports as I commented on it last week.

Rev. Caldwell interjects saying that he makes a motion to table items 10 and 11 until we can talk about it later.

First: Rev. Caldwell. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 4-0. .

We received two individuals who are interested in the vacant seat which was vacated by Councilwoman Fawn McDaniels, effective May 28, 2019.

Rev. Caldwell makes a motion for Council to go into an executive session to look at those and then we can appoint and come back out.

Mayor Nesby says that there is only one person here and calls for Mr. Danko to come to the microphone to speak. Rev. Caldwell tells Mr. Danko just to state the reason why you want to fill that vacant council seat.

Mr. Danko says that he thinks he has some ideas that can work here. Mr. Danko states that we need to bring in a new tax base somehow and give the citizens the services that they want and that they have now. We need more jobs and we'll work together on Council. Mr. Danko says that is all he can tell you. Mayor Nesby addresses Mr. Danko saying that she has a question for him saying prior to the Act 47 Exit Plan states that with the new Council coming in we are going to require that part of the exit strategy is that you will have to go to the Local Government Academy classes and it's just going to teach you about legislation, your duties and your functions. Mayor Nesby asks Mr. Danko as a Council member will you be willing to attend. Mr. Danko responds, "Teach me." Mayor Nesby thanks Mr. Danko.

At 8:17PM Mayor Nesby states that they will now go into an executive session.

Mayor Nesby reconvenes the meeting after the executive session at 8:23PM.

12. Motion to appoint Stephen Ray Kurutz to fill the Council position vacated by the resignation of Fawn McDaniels from Council effective, May 28, 2019.

No motion made.

Motion to appoint William Danko to fill the Council position vacated by the resignation of Fawn McDaniels from Council, effective May 28, 2019.

Mayor Nesby says that she makes a motion to appoint Mr. Danko to the vacant seat on Council and that he has consecutively been attending the council meetings inside the City, he has also voiced his opinion and he has also expressed an interest in helping to take the classes so that he can learn more about the City of Duquesne. Mayor Nesby continues on saying that she thinks that he would bring new ideas to the City of Duquesne and he would also bring experience as

well as diversity to Council and again he has been here consecutively expressing his interest to help the City of Duquesne.

First: Mayor Nesby. The motion dies for a lack of a second.

Motion to appoint Richard Scott Adams to fill the Council position vacated by the resignation of Fawn McDaniels from Council, effective May 28, 2019.

First: Ms. Washington.

Mr. Sainovich says that a second vote isn't needed and states that the next thing you want to do is take a roll call first of Mr. Bill Danko. Mr. Sainovich says that you can vote yes on this one and you can vote yes on the next one if they don't obtain enough votes. Mr. Sainovich continues on saying let's just say that some of you vote for Mr. Danko and he fails to get the votes then what happens is you vote on Mr. Adams then Mr. Adams has to obtain the number of votes and if neither of them obtain the number of votes needed then you have a vacant seat and then someone either Mr. Danko or Mr. Adams can petition the Court of Common Pleas. Mr. Sainovich says that the executive session is to go over the resumes that were submitted and that you cannot make a decision on this matter in an executive session. Mr. Sainovich continues on saying that you can ask questions about how you can vote, how do you do this if someone is abstaining on a vote but there is no decision that can be made there so you need to call roll about Mr. Danko.

Rev. Caldwell-yes. Ms. Washington-no. Mrs. Henderson-Murphy-**no**. Mayor Nesby-yes.

Mr. Sainovich states that there are 2 for yes and there are 2 for no and says that Mr. Danko did not acquire enough votes.

Mr. Sainovich says that you can now call roll on Mr. Adams.

Rev. Caldwell-yes. Ms. Washington-yes. Mrs. Henderson-Murphy-yes. Mayor Nesby--Mayor Nesby responds saying before she gives her vote she wants to say that prior to me running for office I had oathed to the former Chief his figure was which is the truth and I just want to let you know that I reported to him in confidentiality that my neighbor was selling drugs and he told my neighbor on me and my neighbor confronted me. Mayor Nesby continues on saying that the former Chief of Police and the Attorney General Inspector should be, Ms. Washington interjects and tells Mayor Nesby to put it on YouTube and Mayor Nesby says no.

Mr. Sainovich states that the vote is 3-1 and favors Mr. Richard Scott Adams so he will be appointed to vacant seat on Council for the City.

13. Motion to adopt the Landlord Tenant Ordinance.

First: Mrs. Henderson-Murphy. **Second:** Ms. Washington. **Motion carried:** 4-0.

14. Motion for a second reading of the ordinance creating Tobacco-Free Zones at local parks and playgrounds.

First: Rev. Caldwell. **Second:** Ms. Washington. **Motion carried:** 4-0.

15. Motion to adopt the ordinance creating Tobacco-Free Zones at our local parks and playgrounds.

First: Rev. Caldwell. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 4-0. .

24. Motion to reorganize Council Committees with new Councilpersons.

Ms. Terra Henderson-Murphy will be reassigned to Accounts & Finance, Ms. Elaine Washington will be reassigned to the Department of Streets & Public Works, and the newly appointed Council Member will be assigned to the Water Department.

16. Motion to adopt a resolution for the Complete Streets Policy.

First: Mrs. Henderson-Murphy. **Second:** Rev. Caldwell. **Motion carried:** 4-0. .

1. Motion to make Mrs. Terra Henderson-Murphy an Acting Mayor in the event the Mayor is not available. Mrs. Henderson-Murphy says thank you to the Mayor for the nomination.

First: Mayor Nesby. The motion dies for a lack of a second.

At 8:35PM Mayor Nesby states that she isn't feeling well and is going home.

Ms. Washington makes a motion that Rev. Timothy Caldwell becomes the Acting Mayor in the event the Mayor is not available.

First: Ms. Washington. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 3-0.

17. Motion to award the bid to the lowest responsible bidder for the Fire Departments existing exterior front rehabilitation project at a cost of \$88,000 per the bid opening today.

Ms. Bittner says what if Council doesn't want to award the bid. Mr. Dougherty, the Act 47 Coordinator, states that you don't have to award. Ms. Bittner asks if the Fire Department has any resources. Mrs. Henderson-Murphy asks if they received a check. Fire Chief Frank Cobb states that the City received a \$30,000 check and states that the City doesn't give them a budget. Fire Chief Cobb states that they operate on zero dollar budget and that they get their relief check from the state which is \$20,000 a year and that don't even cover two fire fighters for the whole year. Chief Cobb continues on saying that you have a door down there where fire trucks can't even get out so if something happens or if somebody loses a house he's not taking responsibility for the City because they are well aware of the situation. Fire Chief Cobb also states that they have a new truck that is coming; we possibly secured a grant for one million dollars for a brand new ladder truck and it's supposed to be delivered to the City and if that door is not modified there's no point in bringing the truck home because it's not going to fit in the garage bay. Chief Cobb states that we put a grant in back in 2018 and we haven't got our denial letter so it looks like we possibly secured this grant and if the grant is secured and the door is not modified there is no point in bringing the truck to the City so the City is going to turn down a million dollar truck and still operate with a 30 year old truck that needs \$200,000 to pass inspection for the safety of our guys to fight the fires.

Solicitor Sainovich asks Chief Cobb if the City owns the building and Chief Cobb replies, "Yes the City owns the building." Rev. Caldwell states that we need \$58,000 and at least \$30,000 has come from the insurance. Dave Gilliland, City Engineer states that we can always rebid for a better estimate or a lower bid. Mr. Dougherty asks when the delivery of the truck is. Chief Cobb

responds saying that they are still waiting to see if we secured the grant. Chief Cobb states that the denial letters were supposed to be out by May. Mr. Dougherty asks Chief Cobb how long it takes to build up the truck. Chief Cobb answers anywhere from eight months to a year. Mr. Dougherty says that we will be in another budget year and the earliest we are talking is February. Chief Cobb replies, "Possibly." Solicitor Sainovich addresses Chief Cobb saying that right now we have acquired the services of Mr. Steve Mastick with Commonwealth Security and we have been projecting accountable expenditures for the City. Mr. Sainovich states that based on your ratings and things like that if in fact you do the bond issue this year that can be one of the things, this door can be one of the things that is placed in a capital project for the year and that it doesn't take a long time to get the bonds out and to get the money in. Mr. Sainovich states that what he is saying to you is more than likely Council and our Act 47 Coordinator have already anticipated the fact we are going to be redoing these bonds and making some capital improvements through the State; this is something that absolutely that needs be done, therefore he will suggest to Council since we need this done to take this and then make a motion to authorize the Solicitor and your Act 47 Coordinator to meet with Mr. Mastick regarding the refunding of the refinancing of our bonds and see what we can do. Mr. Sainovich continues on saying that when we refinance our bonds we get money in hand immediately.

Ms. Washington asks, "What's the "bad" on this?" Mr. Sainovich states that there are no real bonds because what you're doing is actually taking the debt of the City and moving it out further into the future which hopefully, like Mr. Danko said, we get some more things, we would then be able to pay those bonds off so we try to get lower rate on the bonds you already have so let's saying you're paying 5% then you will get those bonds at 3.5%. Mr. Sainovich continues on saying that you reduce the amount, extend it up and see how much credit you actually have to possibly get you some money. For example, Aliquippa Water Authority only had \$79,000 in the bank, we re-did the bonds and the amount the people had to pay for sewage and water, we went out with the bonds and right now that authority has \$3.6 million in their account. Mr. Sainovich states that bonds are always extended into the future but if they wanted to they can turn around and pay them off tomorrow because they actually have money in their coffers. Mr. Sainovich continues saying that what you are doing here all the time with our budget is we're sort of robbing Peter to pay Paul, we take money from this portion to come over here and pay for the door then somehow the Chief is shorted because he can't get the guns or the car or the things that he needs. We need police equipment, fire equipment and we need a new door, those are capital. Mr. Sainovich states some of these things we can do, the equipment and this and that have to be capital approved understand, it has to be something structurally or whatever. Chief Cobb states that the building is structural somewhat, but if the building takes another hit the building is coming down, you guys are aware of that, right? Mr. Sainovich responds yes and that what he is saying is this. Chief Cobb interjects and states that the building sat through one winter if goes through another winter the front of the building won't come back. Mr. Sainovich says that he thinks it's imperative to make some kind of move soon and there is no obligation if they decide that they are going to sell those bonds out there and see what you can do, they'll come back to you and you have to vote on whether or not on what you want to do so you're not bound by taking a vote and you're not saying just go ahead and do it then whatever happens, happens. Mr. Sainovich says you are not handing somebody a credit card and telling them to go out and spend what you want. Mr. Sainovich states it's when they come back to you and say look here's how much money we can save you, here's the amount of money we can get, here's the amount of

money you can put towards capital improvements right now and that's the money you need because you cannot do this on this budget, we can't do the igloo shed for the salt and we can't do the door on the budget we have. Mr. Sainovich says that he feels George's pain because every time he looks at you and he knows that you need it, you look at him and go geez George it's only \$25,000 here and \$88,000 there. Mr. Sainovich says that you're going to get more than \$100,000 when you redo the bond. Mr. Sainovich says he means that he doesn't know how much but he imagines you can do \$3, \$4, \$500,000. Ms. Washington asks George if he understands. George replies yes and then we would have to activate Council the member for Accounts & Finances which we've essentially lacked since February. George states that last month Council approved a Financial Policies Committee and that would be the City Manager, myself, the Treasurer and the Director of Accounts & Finances so the plan of ours that would be the first is to get the financial policies in place and then the second thing that we are going to do with that committee is to begin the bond refinance research so once that has been done in place, Mr. Mastick has started to do that so if we knew that this is going to be rolling over close to \$800,00 to one million dollars and we have some ideas in place Council has to approve all that but it will use some of our expenditures.

Rev. Caldwell interjects saying that he's all for whatever we can do to get that money, Mr. Sainovich says that you know what you can do with this financial committee and Mr. Mastick, they can both work in conjunction with one another now so you don't have to do the finance stuff to get everything and then say okay Mr. Mastick, Ms. Washington interjects an inaudible comment. Mr. Dougherty states that we have done the research on three scenarios that would give us both budget relief on an annual basis as well as, Mr. Dougherty states that part of the decision the City made in 2005 was to take on a large amount of debt only to finance it for a short period of time so say 7 years, I'm sorry 2015 going on an instance of 7 years when they could've financed it for 10 or 20 years so essentially what they did was put a big crush on us now so we can refund some of those bonds and we can also take care of some other needs but we have to have a capital budget in place. Chief Cobb addresses Solicitor Sainovich saying that when a house catches on fire and you never really answered my question you're saying that we can't go on the call correct? So when I go down and tell my laddies that this is not happening there's a possible chance they are going to leave the department. Mr. Sainovich tells Chief Cobb to tell them it's not that you're not going to get it done, it's just they are authorizing right now for us to move forward to apply for the funding to do what you want to do. Mr. Sainovich states that it will be done, it will be done and that we have to do it this year; there's no doubt about that. Ms. Washington asks Mr. Dougherty if there is a time frame to get this together. Mr. Dougherty says that the financial policies will be on the agenda in two weeks and then after that Council can approve it at the July meeting. At that point once we have the financial policies in place we can then begin to the lottery finance process and that normally takes two to three months but the whole goal will be to finish it before the end of the year so that we don't have to make our second bond payment on the currently structured bonds. Chief Cobb asks what happened to the bid they got for \$48,000. Ms. Bittner replies saying that was not a bid that it was an estimate that the engineer worked up based on the information that we had at the time. Ms. Bittner says that he was trying to estimate what the cost might be before it went out for bids. Mr. Sainovich says that he guessed at \$48 and it came back \$88 and that he wants to tell the Chief there is no one here that is saying no that can't happen. Mr. Sainovich says that Mr. Dougherty and he are suggesting that we have Council make a motion to get moving forward.

Rev. Caldwell makes a motion to move forward with the finance committee to organize and develop a strategy for spending and capital improvements in addition authorizing Commonwealth Securities to move forward with securing information regarding refunding of our bonds with the expectation of taking additional monies for capital improvements.

First: Rev. Caldwell. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 3-0.

Ms. Bittner addresses Mr. Sainovich saying that we have to address the bids. Mr. Sainovich says that what you do is let's make a:

Motion to authorize the engineer to contact Humenisk Construction to determine if they will hold the price for the restoration of that door and to see how long the hold can be on the cost.

First: Rev. Caldwell. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 3-0.

18. Motion to approve the membership to MIP for an unknown amount has been tabled until the Mayor Nesby gives that information to Ms. Bittner, Interim City Manager.

New Business

19. Motion to approve an application through the SRCOG for the "Active Allegheny" grant program.

First: Mrs. Henderson-Murphy. **Second:** Ms. Washington. **Motion carried:** 3-0.

20. Motion to approve a resolution to request a grant from DCED for a codification of ordinances.

Rev. Caldwell asks what that means. Solicitor Sainovich says that we have a bunch of ordinances and what they will do is they'll talk about it and put in the book for us and we even made some suggestions pursuing some of the updates that we may need. Ms. Bittner states that it hasn't been done since 1997.

First: Ms. Washington. **Second:** Rev. Caldwell. **Motion carried:** 3-0.

21. Motion to purchase a replacement police car not to exceed \$15,000 of which \$10,000 and installation of the equipment will be paid by insurance.

Police Chief Dunlevy states that what he is saying is that we gutted the equipment out of the old vehicle which the insurance paid for and now we're waiting for a check to come back. Chief Dunlevy also states that obviously we're not going to be able to afford a new vehicle and that he wants to buy about the same year. Chief Dunlevy continues saying that he doesn't know if it will be before they get that check and states that he doesn't want to spend over \$50,000. Chief Dunlevy states that we already have a check for \$10,000 coming and the insurance company will also pay the \$3800 for installing the equipment in the new vehicle coming in. Chief Dunlevy says that he already has to look at what's available at the time that we have the \$10,000, however he'd like to not have to wait a couple months to get you an exact number. Chief Dunlevy continues saying that when the DOJ funding comes through since that is where we are at now he will have the money to refund the City for that.

First: Rev. Caldwell. **Second:** Ms. Washington. **Motion carried:** 3-0.

22. Motion to purchase and equip a 2014 Chevy Impala with police equipment not to exceed \$4000, which will be reimbursed by Department of Justice (DOJ) funding when available. Chief Dunlevy says that is the white car Mayor Nesby was driving. Chief Dunlevy says that he has had it sitting there for almost a month now. Mrs. Henderson-Murphy addresses the Act 47 Coordinator saying that her suggestion was that we wanted to do something similar in the Street Department to obtain a car so how does this work from one department to the next. Ms. Bittner tells Mrs. Henderson-Murphy that you cannot use DOJ money. Ms. Henderson-Murphy says that she doesn't want DOJ money. We want the \$100,000 grant which was said that had to encourage them to disburse correctly so she asked when we had that Liquid Fuels Funds if we can use the grant to front the money and pay it back, Ms. Bittner and Solicitor Sainovich both interjects telling Mrs. Henderson-Murphy that you cannot do that also saying that you cannot borrow from the fund and then pay it back. Mrs. Henderson-Murphy states that was also for the Street Department correct. Mr. Sainovich says yes it's for the Street Department as long you can say it has something to do with the Street, Mrs. Henderson interjects saying that it is and that we were trying to obtain vehicles for the Street Department. Mrs. Henderson-Murphy states that she doesn't care where the money comes from. Ms. Bittner states that you can't borrow from Liquid Fuels and that you can borrow from the General Fund and reimburse with that grant. Mrs. Henderson-Murphy asks how much we are allowed to borrow. Ms. Bittner states that they have a different funding source that is more. Mrs. Henderson-Murphy asks how the Street Department can get more vehicles with a \$25,000 grant, so what can we get? Mrs. Henderson says that we have sent several things in and that she even called to check on the grant. Ms. Bittner says that she has also called and he is out of the office so she can't talk to Casey. Mr. Dougherty says the discussion that we had on Friday from what he understands was that the Liquid Fuels Funds are already allocated for Street Lights and for summer help so that is how we used those funds. Mr. Dougherty says the easiest account to the State, there is an audit every single year on Liquid Fuels so municipalities traditionally go the easiest and the easiest mechanisms so they can fill out the paper work, send it in and nobody questions it, now if there is an additional grant which you mentioned also on Friday that is all you need to do for that which you'll give the information for that to the City Manager. Mrs. Henderson-Murphy says that she gave the information for the grant to the City Manager and Ms. Bittner states that she does have it. Mr. Dougherty says that it's just a matter of processing it to the City Manager's office making sure we comply with the grant requirements making sure the money is there and then requesting a capital purchase through Council. Mrs. Henderson-Murphy says processing it how, by giving an invoice? Ms. Bittner says that it depends on what the price is going to be whether what we have to do to comply with the state statute on bidding. Interim Public Works Director Demeco Poindexter says that there is a vehicle that is available for \$3500, Ms. Bittner says that \$3500 does not have to be bid out; that it's a purchase order just like anything else we do. Mr. Dougherty asks what we are going to do with the other \$18000. Mr. Poindexter says they will do repairs, Ms. Bittner says that she is pretty sure that it says capital projects.

First: Mrs. Henderson-Murphy. **Second:** Rev. Caldwell. **Motion carried:** 3-0.

23. Motion to purchase equipment for active shooter training not to exceed \$500. Chief Dunlevy said that the money is to get the stuff to train. Mrs. Henderson-Murphy asks Chief Dunlevy if he is teaching them free and the City is not charging anything and the Chief continues on saying that he thinks it's inappropriate to charge for that. Chief Dunlevy states that it's the equivalent we need to do it for.

First: Mrs. Henderson-Murphy. **Second:** Rev. Caldwell. **Motion carried:** 3-0.

Motion to approve June bills. Ms. Bittner states that she has them here, a list and all the extra checks here.

First: Ms. Washington. **Second:** Mrs. Henderson-Murphy. **Motion carried:** 3-0.

Motion to adjourn.

First: Rev. Caldwell. **Second:** Ms. Washington. **Motion carried:** 3-0.

Nickole Nesby, Mayor

MaryLouise Bittner, Interim City Manager