

**Borough of Munhall
Regular Council Meeting Minutes
Wednesday
October 18, 2017 7:00 P.M.**

- I. Call to Order - President Falce**
- II. Pledge of Allegiance – President Falce**
- III. Preliminary Announcements - Mayor Bodnar called for a moment of silence for the servicemen killed in Niger.**
- IV. Roll Call - Councilman Brennan; Councilman Inglis, Councilman Votedian; Councilman Stein; Councilman Tichon; Councilwoman Fleming-Salopek; President Falce. Only Councilman Votedian is absent.**

NOTICE TO ALL PUBLIC SPEAKERS ADDRESSING COUNCIL

- COMMENTS WILL BE LIMITED TO THREE MINUTES
 - MUST AVOID REFERENCES TO PERSONALITIES AND PERSONNEL RELATED ISSUES.
- V. Speaker(s): - None**
 - VI. Reports from Borough Officials:**
 - **Mayor - Reminded everyone of the Halloween Parade on October 28th at 2pm, Trick or Treat for the kids on October 31st 6-8pm and the start of the Christmas parade plans.**
 - **Solicitor – Received notice from Allegheny County Redevelopment Authority as part of their emanate domain process for 1224 Ravine Street.**

- **Manager –**
 - Asbestos survey done and the report states there is no asbestos at 539 E 9th. He is gathering quotes for demolition.
 - West Run Creek – Received notice from Allegheny County that we need to dredge it to help with flooding issues.
 - DCED Report – Turnley finalized the audit.
 - Main Street Cameras – Discussed the options for replacing the cameras. There is an offer to replace them at \$13,997 with a 10-year manufacturer's warranty. President Falce asked Greg Evashavik questions about it being budgeted vs not budgeted and Councilman Brennan asked about the idea of it being taken from Asset Forfeiture money. Chief Campbell advised he has reached out to his contact with the Department of Justice and is waiting for a return call. Councilman Stein voiced his concern for waiting until November or December as it may be too cold, and/or they are trying to work around Christmas decorations.

- **Engineer -**
 - Safe Routes to School is official project to start in June 2018. Mike Facciano was lowest bid.
 - MS4 – Annual reporting is done.
 - Storm water ordinance needs to be done by March 2018.
 - CITF – Reimbursement from the County.
 - Ravine Street paving project by Morgan Excavating is complete and \$15,000 under budget.
 - Fusion Management and Chester working together to provide aide to municipalities - He introduced George Matta and David Rice.
 - Councilman Stein asked about 2018 Paving projections for budgeting purposes. Colin advised he can get within +/- 10% and if we do it in one project, it will save engineering costs.

- **Public Works Supervisor -** Report submitted. Mr. Bickey is absent for a family funeral. President Falce went over the report.

- **Police Chief –** Report submitted.

- **Fire Chief -** Report submitted. Discussed Fire Prevention week and that they went to all the students at all the schools, St Therese and will be going to Munhall Retirement.

- **Code Enforcement Officer –** Report submitted.

VII. Public Comments on Agenda items:

- **Ray Kondas -**
 - Motion 1 - Asked why the Borough is changing. President Falce advised Travelers was lowest bid.
 - Motion 5 – Asked what the Borough pays to cut the grass in front of the library. President Falce advised this is brush hog not regular grass cutting. Councilman Stein advised this is a onetime cut.

- **Donna Dreshman –**
 - **Motion 1** – Asked current company information and about bonding in the Borough and who is bonded. Joe Varhola advised he and Jackie Coles are bonded.
 - **Motion 3** – Asking if we advertised for the position and Joe Varhola advised this position is part of the last round of interviews and that Mr. Vandriak was the next person in line for a position. She asked if this is a new position or an existing one and Joe advised someone had resigned. President Falce advised they used the existing list as it is within a year of the interviews. Councilwoman Fleming-Salopek discussed and explained further, with example, the process used to choose Mr. Vandriak. Councilman Inglis elaborated further. There was additional discussion about qualifications for employment.
 - **Motion 4** - What is the term? No set term. Mayor Bodnar advised in the past the position was always a Councilman. The committee is now Dave Cannon, Rose Krishna and Susan Kretz.
 - **Motion 5** – Concerns for wording. Councilman Tichon advised he the wording should read 'use and/or sale'. Councilman Stein advised Council is open for suggestions for use or sale. Donna asked about an appraisal and Greg Evashavik stated that an appraisal is an educated guess and the way to determine the true value is to take bids to sell it to a third party. As an appraiser's value is guessing how much someone might offer, the bids for sale will be exactly what someone would offer. He advised the Borough code requires bid opening and that the Borough doesn't have to accept any bid. There was a discussion about what newspapers will be used to run the ad. Donna asked what came of Councils visit to the property and there was an overwhelming answer that it was overgrown and allot of trees.

- **Motion 8 and 9** – Asked what the remaining balances are after their deduction. Borough manager Joe Varhola advised \$2,676,432.93.
- **Councilman Brennan** –
 - **Motion 1** - Councilman Brennan advised the vote the change from HDH to Travelers was 6 to 1 and he was the 1. He asked for a copy of the contract, so he can review it.
 - **Motion 6** - He advised he had back tax information on the Waterfront property. Solicitor Greg Evashavik advised the County is due \$7953 and \$29,876.00 plus accruing interest for the School District. Councilman Brennan asked how much his legal fees were during the emanant domain process. Greg said he didn't have that figure with him but would be able to provide Councilman Brennan with the information. Councilman Brennan stated he advises an appraisal of the property. He advised he has information on a property that is near the Borough property and that the property is for sale for 2 million dollars. He said he feels the property should be cleared and that a recreation area would be a promising idea for the community. He stated he doesn't want Council to make a rush decision. He doesn't understand why the motion is on the agenda. He wants to take the lead to have a park developed. Wants to know why it's for sale. There was a discussion with Councilwoman Fleming-Salopek regarding the wording for the motion. He asked why we would entertain an offer of \$75,000 when property nearby is for sale for 2 million. He states he has spoken to the sales agent for that property and that they used CVR Real Estate as an appraiser and he has spoken to that appraiser. There was a discussion about possible uses of the land and other local parks were used as an example. He feels the residents are entitled to this park and a place to go with their young families. He acknowledges the danger of the railroad tracks but advised fences or other things can be done to protect the public from the concerns of the tracks. He asked about the possibility of grants and why the Borough doesn't apply for them. He asked for Council to table Motion 1. Councilman Inglis talked about Councils visit to the property and that they had discussed waiting until the brush hog cleared the property, so they can see what the property looked like and for anyone else who wanted to see it as well.

- **Michael Aldrich** - He doesn't feel the figures make sense. He worked through the figures and advised the remaining amount wouldn't be of significance to the residents and asked what would happen to the small amount left. Would it pave a road or pay someone's salary? He advised it would serve the Borough well to build a park. He advised if the property was purchased by emanant domain, there should be a public meeting to entertain discussions with residents. Councilman Brennan advised there would be a Town Hall meeting on October 26th at 6pm. He once again asked Council to remove the motion. Councilman Stein reminded everyone of his workshop comments that the first obligation of Council is to do things in the best interest of the residents. That can include all options. He states the intent is not to sell the land but to find out what all the options are. He advised they are no closer to selling the property than they are of building a recreation area. There is no priority one way or the other. He discussed the \$75,000 offer and stated the land will be used for that businesses headquarters and will bring over \$100,000 plus in taxes to the Borough every year. He reminded everyone that he would like to see a park like Ryan Hacke park and that all residents are invited to attend workshop and regular council meetings every month to find out what is happening and that there is a Parks and Rec board that meets the first Tuesday of every month. He stated during a meeting with Council and the Rec board, it was discussed that the property would be good for a soccer field so something as such and not for a park where families would spend time. He talked about the yearlong study, that started in November 2016 that included Munhall, Homestead and West Homestead by an environmental group, Pashek and Associates who are working on a DCED recreational grant. And on November 21, 2017 there will be a meeting to discuss their findings. The group met Tuesday of this week and the representative advised the property is suitable for a recreational facility but not a park with pavilions. Councilman Stein said he is not willing to take the motion off the table, but he does not intend to sell the property. Councilwoman Fleming-Salopek discussed the motion wording again and states she would support a recreational facility but she supports the wording. Councilman Brennan again asked Council to take the motion off the table. Councilwoman Fleming-Salopek advised the Borough should visit every option. President Falce asked how he would feel if there was an offer from someone to build a park or recreation facility. Councilman Brennan stated he would be open to that, but he doesn't understand why we bought the property and six months later we are trying to sell it. Mayor Bodnar talked about grant writing through the COG and advised Council to make the right decision for the property whatever that decision might be.

VIII. Items for consideration:

- 1. Motion to ratify vote to change the Borough insurance to Travelers Insurance. Motion: Councilman Tichon, Second: Councilman Stein, Vote: 5 votes to 1 (Councilman Brennan) to approve the motion.**
- 2. Motion to approve Steel Rivers COG to pay \$7000, through the CITF grant, for the demolition of 1054 E. 8th Avenue. Motion: Councilman Inglis, Second: Councilwoman Fleming-Salopek, Vote: Unanimous**
- 3. Motion to hire Matt Vandriak for the Public Works department at the rate of \$15.88 per hour pending pre-employment drug testing. Motion: Councilman Tichon, Second: Councilman Inglis, Vote: Unanimous**
- 4. Motion to add Susan Kretz to the Historical Architectural Review Board. Motion: Councilwoman Fleming-Salopek, Second: Councilman Tichon, Comment on the motion by Mayor Bodnar that he feels a councilman should be on this board. Vote: Unanimous**
- 5. Motion to approve Jim Quinn to clear the Waterfront property by use of a brush hog at the cost of \$ 650.00 per day. Motion: Councilman Inglis, Second: Councilwoman Fleming-Salopek, Vote: Unanimous**
- 6. Motion to approve advertising for proposals for possible use and/or sale of the Waterfront Property. Motion: Councilman Tichon, Question on the motion – Councilman Brennan motioned to have the word “sale” removed from the motion. Councilman Tichon states he would like it to remain so they can see all options on the table. Councilman Brennan again asked for the word “sale” to be removed. Councilman Tichon reminded everyone he had a motion on the table. Solicitor Evashavik advised there is a first motion by Councilman Tichon and a modification motion by Councilman Brennan. He advised there will need to be a second on the modification motion to move forward or the first motion will stand. He asked if there is a second on Councilman Brennan’s modification motion. Councilman Inglis did second the motion. Comment on the motion by Councilman Stein asked for clarification the wording and possible future sale of the property. Solicitor Evashavik explained the motion is presented and all his instruction has been towards the sale of the property per the Borough ordinance instructions and they are very specific instructions on the sale of property. He states that sealed bids would be taken and opened publicly but the Borough is under no**

obligation to consider any bid and can reject all of them. He states he doesn't have anything for use of the property because of the specific procedures that need to be followed. Councilman Stein clarified the specific instructions and that there is a bid form that must be completed. Solicitor Evashavik confirmed and advised he had a copy of the form to be submitted and explained the specific instructions on that form. Councilman Stein stated from his recent discussions his intent is not to sale the property and that he would like to see proposals for other uses of the field and have even have the option to lease the property.

Councilman Brennan stated his concern that a dollar amount will come in and the property will be sold. He again asked for the word "sale" be removed. President Falce asked about a form or process using the word "use" instead of sale. Mr. Evashavik stated the form would need to be created for use or lease. He states it would need to be specific reading if we are going to allow use of the property for a lease amount or will they be allowed to use it for free. Otherwise the sale form and bid process would need to be followed. Councilwoman Fleming-Salopek confirmed once again that even if the sale form and bid process is used, they will at least know what the value is, and they do not have to accept any bids. Mr. Evashavik agreed. Councilman Brennan disagreed. They discussed the process of advertising and the instruction of the ordinance. Councilman Brennan is not happy with the way it would be advertised. Greg stated the advertisement can be the minimum legal requirement or can be advertised under additional mediums, but he has instructed Council what the legal minimum requirement is. Councilman Brennan doesn't agree to the minimum.

There was clarification on the motion by President Falce. There is a modification motion by Councilman Brennan and a second by Councilman Inglis. Councilman Inglis advised there was a visit to the property by most of Council who only agreed to clear the property. Councilman Tichon advised he was not there at the time but he is for use or sale but to do nothing would be abdicating their responsibility. Councilman Brennan states he doesn't want to do nothing. Councilman Tichon advised taking it off the table is doing nothing. Councilman Brennan advised he has been spending time on the Cemetery Board and is blindsided by the sale of it. Councilman Tichon advised he wants to know what it's worth. Councilman Brennan reminded him of the neighboring property for sale for 2 million. Councilman Brennan asked again why Council would be in a hurry to sell the property. Councilman Tichon said he is in favor or approving for sale or use. Councilman Brennan reminded he has a motion and a

second for modification of the motion. Councilman Tichon requested a roll call vote.

Roll call vote to modify the original motion and read as follows:

Motion to approve advertising for proposals for possible use of the Waterfront Property.

**Councilman Brennan – Yes
Councilman Inglis – Yes
Councilman Votedian – Absent
Councilman Stein – No
Councilman Tichon – No
Councilwoman Fleming-Salopek – No
President Falce – No**

Per Solicitor Evashavik the motion will revert to the original motion. The motion is seconded Councilman Stein.

**Roll Call vote on the original motion to read as follows:
motion to read as follows: Motion to approve advertising for proposals for possible use and/or sale of the Waterfront Property.**

**Councilman Brennan – No
Councilman Inglis – Yes
Councilman Votedian – Absent
Councilman Stein – Yes
Councilman Tichon – Yes
Councilwoman Fleming-Salopek – Yes
President Falce – Yes**

7. Motion to approve handicap sign at 614 East 19th Ave. Motion: Councilman Tichon, Second: Councilman Stein, Vote: Unanimous
8. Motion to approve the September 20, 2017 minutes. Motion: Councilman Inglis, Second: Councilman Brennan, Vote: Unanimous
9. Motion to pay bills for the period September 22, 2017 thru October 17th, 2017, summarized as follows:

Administration	\$ 25,618.58
Police:	\$ 55,459.58
Fire:	\$ 19,524.40
Health & Sanitation:	\$ 34,263.44
Public Works:	\$ 52,685.72
Recreation:	\$ 5,751.28
Miscellaneous:	<u>\$ 23,093.15</u>
TOTAL:	\$ 216,396.15

Motion: Councilman Stein, Second: Councilman Tichon, Vote: Unanimous

8. Motion to approve Payroll for the period of September 7th through September 21st as follows:

2017: Sept 7	\$ 126,968.12
2017: Sept 21	\$ <u>127,005.03</u>
TOTAL:	\$ 253,973.15

Motion: Councilman Inglis, Second: Councilman Stein, Vote: Unanimous

Other Matter(s): Donna Dreshman commented on a park in the Borough that was bought as sheriff Sale.

Councilman Tichon advised of Veterans Day committee meeting on October 20th at 12:30 in the SV conference room.

Mayor Bodnar recognized prior Mayor of Duquesne and Clerk of Courts for Allegheny County, George Matta who is in attendance this evening.

Councilman Stein stated he doesn't like the way the wording has to be in Motion 6, but it is the way they were instructed by the Solicitor. He stated he is not interested in selling the property. Councilman Brennan asked him why he voted the way he did. Councilman Stein stated he would like to see all options on the table. President Falce stated they may get an offer for someone to build something that may not cost the Borough money.

IX: Adjournment: Motion: Councilman Tichon, Second: Councilman Stein


Robert Falce – Council President