

City of Duquesne
Council Workshop Meeting
May 14, 2019
Minutes

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

Present: Rev. Timothy Caldwell, Mrs. Terra Henderson-Murphy, and Ms. Elaine Washington.
Also Present: Interim City Manager MaryLouise Bittner, Police Chief Thomas Dunlevy and Interim Public Works Director Demeco Poindexter, City Engineer David Gilliland, Fire Chief Frank Cobb and Act 47 Coordinator Assistant Kristen Maser.

Absent: Mayor Nickole Nesby, Ms. Fawn McDaniel, City Treasurer David J. Bires and City Solicitor Myron Sainovich.

Excused:

Public Comments on Agenda Items

Burton Comensky of 915 Maryland Avenue questions the general workshop and item #11 Hawaii.

Rev. Debra Chaffin with the Citizens' Police Review Board at PO Box 969 made comments about citizens' complaints.

William Danko of 501 Crawford Avenue asks about item #3 on the agenda. Councilman Rev. Caldwell states that we will be cleaning up around our streets in order to make our City look better. Rev Caldwell continues on saying that we do have a clean-up day coming up on May 25th and that he hopes to see all of your happy faces out there helping us clean up. Rev. Caldwell states that this doesn't lock us into having to pay this type of money unless we really need them to so that we can make our City look a little cleaner and better. Mr. Danko asks if we are locked in and we don't have to use them. Rev. Caldwell states no we are not locked in and that all we have to do is sign the contract but we are not locked into that contract and we don't have to use them if we don't need them.

New business

Workshop Item #1: Discussion on opposing HB 349 that the City of Duquesne retains the choice of having one or multiple third-party enforcement agencies.

Workshop Item #2: Discussion on resolution to authorize the filing of an application for CDBG funds with Allegheny County Economic Development.

Workshop Item #3: Discussion of SRCOG agreement for street sweeping services for 2019 at the rate of \$85/hr. plus ½ hr. travel time to and from the City and provide an appropriate dump site for debris.

Workshop Item #15: Motion to promote Sergeant Thomas Shaw to the position of lieutenant effective May 15, 2019.

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

Workshop Item #4: Discussion on the rental contract for Mr. John services for the Polish Hill ballfield for the summer.

Rev. Caldwell asks if we use them at Duquesne Place as well. Interim City Manager MaryLouise Bittner states that she honestly doesn't know. Rev. Caldwell states that we should add that on just to be on the safe side so that we have them. Councilwoman Washington states that the Duquesne Place football field has their own rest room inside. Rev. Caldwell states he means the around the playground for the kids because the football field is locked up for the summer and they are not able to use the rest room so if one can be put out there for the kids. Ms. Bittner states that she will look into it.

Workshop Item #5: Discussion on request from Duquesne-West Mifflin Boys & Girls Club for PRIDE to decorate the Veterans' Park with flags for Memorial Day, Fourth of July, Labor Day and Veterans' Day.

Councilman Rev. Caldwell states that there was a request from the Duquesne-West Mifflin Boys & Girls Club for PRIDE to decorate the Veterans' Park with flags for Memorial day, 4th of July, Labor Day and Veterans' Day. Rev. Caldwell states that he himself doesn't have a problem with it and continues on saying that he thinks it would be a wonderful thing to show patriotism towards the veterans as well as who we are as Americans. Ms. Bittner states that in the letter PRIDE is requesting to do this on May 23rd and the next meeting is the 28th so maybe you do want to vote on this tonight.

Motion to approve the request from the Duquesne-West Mifflin Boys & Girls Club for PRIDE to decorate the Veterans' Park with flags.

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

Workshop Item #6: Discussion on the agreement with Building Inspector Underwriters of PA (BIU) for commercial inspections as needed.

Councilman Rev. Caldwell states that right now we don't have anyone who is doing our commercial inspections but we do have someone that is doing the home inspections so we would use BIU to the commercial inspections until we send another person back to training in order to do the commercial inspections. Rev. Caldwell states that we are getting ready to switch a lot of stuff around which will save us a lot of money on doing the home inspections for housing and stuff. Rev. Caldwell also states that our Public Works Director has went and got his license to be able to do the inspections and he's going to go back to get his commercial license so that we will be able to utilize one outfit instead of utilizing two but we need BIU right now just so that we might be able to do the commercial and that way we will have an inspector on site which will save us money.

Workshop Item #7: Discussion on Mayor Nesby's Innovation Commission to address special projects and funded from the City's budget.

Councilman Rev. Caldwell states that they will table workshop item #7 due to Mayor Nesby not being in attendance tonight and until it can be discussed with Mayor Nesby.

Workshop Item #8: Discussion on dates for training workshop by Glenn Engineering for annual MS4 Permit requirement.

Interim City Manager MaryLouise Bittner states that she didn't know if you had any particular dates other than meeting dates obviously, and if there is something already on the calendar but she doesn't know if you had a preference on a particular day of the week or time of the month or whatever. Ms. Bittner states that they were just asking for some dates to choose from and she thinks they're pretty open. Rev. Caldwell asks what this is training for and Ms. Bittner states that

it's related to water. Councilwoman Henderson-Murphy asks if they are going to do the training during the day. Ms. Bittner responds "Yes, I think they'll do it during the day or would you rather have it in the evening?" Councilman Rev. Caldwell states that he thinks it will be better to do it in the evening for us. Ms. Bittner ask besides the evening is there a particular day of the week that's better or not. Councilwoman Henderson-Murphy states that any day during the week is fine with her as long as it's evenings.

Workshop Item #9: Discussion on renewal of property, liability, commercial and workers' compensation insurances with EHD (Engle-Hambright & Davies Inc.). Ms. Bittner states that if you remember from last month Richard from EHD came and did a presentation so we still have a few pieces of information they need before they can get us a quote but the insurance expires at the end of the month so we'll have that for the next Council meeting. Ms. Bittner states that we will need to vote on it at the next Council meeting and that we have been with them for some time. Councilwoman Henderson-Murphy asks what information is still missing. Ms. Bittner replies stating that it's just standard information. Councilman Rev. Caldwell states that this is to help us with insurances so that we can make sure that everybody is covered so that way we don't have or be liable for not covering things because we have had instances where we wasn't covered on some things and we want to make sure we're covered on all things. Rev. Caldwell states that we will definitely finish filling out the information so that we can get a quote from them to go along with the other quotes that we have so that we can get the best insurance for our money with less money and not more.

Workshop Item #10: Discussion on registration for _____ to attend the PA Procurement Expo & Forum on September 4 & 5, 2019 in Harrisburg, PA. Councilman Rev. Caldwell states that they will table workshop item #10.

Councilman Rev. Caldwell states he knows everyone is waiting to hear this one.

Workshop Item #11: Discussion on registration for Mayor to attend the 2019 Climate Mayors' Summit on June 27, 2019 in Honolulu, Hawaii.

Rev. Caldwell states that his thoughts on this are that we don't have enough money to drive the cars around here let alone somebody fly all the way to Honolulu. Councilwoman Washington asks Ms. Bittner if the Mayor has a deadline to respond or you don't know. Ms. Washington also asks do we vote now or later. Kristen Maser, the Act 47 Coordinator's Assistant responds stating that she has talked to George, the Act 47 Coordinator, about this and he said that as the Act 47 Coordinator that he will not allow approval of travel until the City has enough to pay for its finances for 2019 and if you all have exceeded that budget and you all wanted to reallocate funds you could, but would that be an added insurance in itself. Interim City Manager MaryLouise Bittner states that the Summit is in June but she doesn't know when the deadline is. Councilman Rev. Caldwell states that the vote will be taken next meeting but as far as I'm concerned we don't have money to allow the things that we do need here let alone to keep going place to place when you need to take care of home first. Mr. Danko asks about the young lady sitting at the table. Kristen Maser states her name and that she works with the Act 47 Coordinator, George Dougherty, who is usually here and works for the State.

Workshop Item #12: Discussion on registration for Council to attend the 2019 Duquesne Community Day Annual Golf Outing on Friday August 2, 2109 at the Riverview Golf Club in Elizabeth, PA.

Councilman Rev. Caldwell states that he golfs but he won't be able to attend. Mr. Danko asks if this is Duquesne's own golf outing. Rev. Caldwell replies "Yes." Mr. Danko asks what the cost is. Interim City Manager MaryLouise Bittner and Rev. Caldwell states that the cost is \$65 per person and \$240 per foursome. Mr. Danko asks if you are getting any booze. Mrs. Rosie Reid from the audience responds and tells Mr. Danko if you give me your address that she will send him the information. Rev. Caldwell states that it's a BYOB, bring your own. Rev. Caldwell asks for clarification on the dates for the golf outing and states that he will attend the golf outing and states that he is not going to ask the City to pay for it. Rev. Caldwell states that he will pay for the golf outing out of his own pocket and that he will be out of town on Saturday for a conference. Mrs. Rosie Reid states that the church services start Thursday, August 1st at 7PM and that there will be a guest speaker at Macedonia Baptist Church. Mrs. Reid states that they always kick off with church services, then the golf outing Friday morning and community day park in the evening with the actual Community Day being Saturday and then there will be a Sunday best dinner.

Workshop Item #13: Discussion on a towing services agreement with an unnamed contractor whose owner is listed as Karen A. Juank Lutz for fees as listed in Article 6, which refers to Appendix B (which is not attached nor is here an Appendix A).

Interim City Manager MaryLouise Bittner states that she thinks that the Police Chief has some comments. Chief Dunlevy states that he doesn't know what this about and that he knows that we don't have a contract with any towing service we've been using and we have used Leo's Service for years, but if this is something the City wants to bid out, Chief Dunlevy states that he thinks that it would be served appropriately. Chief Dunlevy also states that the way he reads it, the City recovers money from certain functions of the tow servicing. Chief Dunlevy states that he doesn't want the appearance that if we arrest you and tow your car away that we are getting some type of money back on that. Chief Dunlevy states that is a real bad for the City and I don't think it's appropriate for the Police Department. Councilman Rev. Caldwell states that he agrees with the Police Chief because it looks like if you get pulled over that the police are just automatically pulling people over so that we can get money. Chief Dunlevy reiterates again that it gives the City a bad look and that he agrees that maybe we should have a contract with a towing service; something in writing. Chief Dunlevy states that we do have that through the 911 Center when we do call for the tow truck saying this is the company you call for towing a car or if you need a tractor trailer towed you call this tow service. Chief Dunlevy states that if we want to open that up for other tow services to bid on perhaps to be awarded that contract the whole problem with that is the standards of what we expect in regards of how long they get here, if their equipment is workable and go from there. Chief Dunlevy continues on to say that he doesn't know who the owner of this company is and doesn't know anything about them. Councilman Rev. Caldwell states that he has never heard of them. Interim City Manager MaryLouise Bittner states that she knows nothing more other than what was sent to her. A gentleman from the audience states that he thinks that Leo's Service is an in-town business that the police has a rapport with. He continues on to say that he doesn't think Leo's Service actually charges an exorbitant amount of money and he thinks that this should be status quo as far as he is concerned. Chief Dunlevy states that there aren't many tow services in town and that he thinks when we are talking about the towing of abandoned vehicles one thing you have to look at is, is the tow service doing that meet the PA license salvor and that is the legal definition. Chief Dunlevy continues on saying that there are certain requirements from the State to be that. Chief Dunlevy states that the person that is going to store abandoned motor vehicles on behalf of the city, they absolutely have to be that so just because you own a tow truck doesn't mean that that's the right service for us. Chief Dunlevy states that he will reiterate that he has no problems with Leo's. They have been doing it

for a long time and quite honestly they have improved. Chief Dunlevy continues on to say that the residents are treated very fairly and that he has seen it personally where a car is going to be towed and the person whose car is getting towed away and states hey I only have so much money would this amount work and Leo's will work with you. Chief Dunlevy states that he doesn't want to see an outside service come in and go all crazy with the residents. Councilwoman Washington and Councilman Rev. Caldwell both state that they don't know enough about the fees and that they'll think about it. Councilwoman Henderson-Murphy asks where this came from. Interim City Manager MaryLouise Bittner responds, "The Mayor." Rev. Caldwell states why change when it's working because it's the same way with the garbage detail we changed it and it is not working. Rev. Caldwell states that he doesn't see it happening with this. Councilwoman Washington states that we can table this item because we don't know enough about it. Councilman Rev. Caldwell states that we will table the item until the next meeting.

Workshop Item #14: Discussion to move forward on Community & Economic Development Corporation UP, Unlimited Possibilities.
Councilman Rev. Caldwell tabled this item.

Workshop Item #16: Discussion on departmental and individual spending max with/without approval.

Councilman Rev. Caldwell states that we are looking at what we should be spending or shouldn't be spending with our credit cards and with different items even if someone goes on a trip or whatever, there is a certain amount of money that we believe that you should be able to spend and not over spend because we just don't have the money to keep spending money any way that we feel like spending it. Rev. Caldwell continues on to say that what we want to do is put a cap on the spending so that we can be able to start recovering finances so if we can put it in another area that is very much needed. Rev. Caldwell states that we have a lot of trees that need to be trimmed and stuff like that and if we can start putting some money into those areas instead of spending it on frivolous stuff that we really don't need. Councilwoman Washington states that not only that, but even if we need it and the cost is \$1000 it needs to go through all of us to be approved and go through the City Manager so that we can have some type of paper trail for the auditors. A gentleman from the audience states that in light of what you are saying here I think that you should go down to the Exxon station here and re-establish being able to use that station instead of having them go to the 2800 block of Walnut Street to get gas for the City vehicles. Chief Dunlevy responds stating that has not happened for several months and that all of our vehicles get gas at the gas station in town unless they're out in McKeesport or there is some extraordinary event that we can't. The gentleman from the audience states that he has known that they were getting gas at 2800 Walnut Street at one point because they could not get gas here at the Exxon station in town.

Old Business

Workshop Item #17: Motion to ratify actions taken in an Executive Session related to personnel matters on April 23, 2019.

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

Workshop Item #18: Discussion on acceptance of the resignation of Fawn McDaniel from Council via letter dated May 5, 2019.

Councilwoman Washington asks if a motion is needed. Councilwoman Henderson-Murphy asks if we have to vote on it. Interim City Manager MaryLouise Bittner responds stating, "Yes, we have to vote to accept it," and then states that if you don't want to vote on it tonight that's fine but you will have to vote on it at some point. Councilman Rev. Caldwell states that we will table this and make a vote on this item at the next meeting. Rev. Caldwell states that Fawn McDaniel wrote us a letter of resignation which we finally got her to sign before it can be official, so again we will vote on that at the next meeting whether or not we will accept her resignation. Mr. Danko asks if she signed the resignation letter already and turned it in. Interim City Manager Bittner and Councilman Rev. Caldwell both responded, "Yes." Mr. Danko asks then why are you dragging your feet. Mr. Danko continues on stating that he has been coming to these meeting for seven months now and she hasn't attended one meeting. Mr. Danko asks how many meetings are you allowed to miss before you are removed. Councilman Rev. Caldwell responds stating that is something we will have to go back to our codes and look at. Interim City Manager MaryLouise Bittner states that there is nothing in the Third Class City Code that says anything about missing meetings. Ms. Bittner also states that the point is now that we have her signed resignation, it doesn't matter. Councilman Rev. Caldwell states it is official now.

Workshop Item #19: Discussion on memberships to the CONNECT for \$480 and MIP for \$_____ tabled from April 2, 2019 meeting.

Councilman Rev. Caldwell states that we will table this again since we do not have the answer for the MIP.

Workshop Item #20: Discussion on Sabol Kennels payment and other proposed options.

Councilman Rev. Caldwell states that this is where Sabol Kennels wants to buy some land or take some for the payment that we owe them for keeping dogs that were rounded up like stray dogs and stuff. Rev. Caldwell states that my thing with this is: "I want to know how that bill got that high because there is no way in the world that keeping two or three dogs gets the bill that high." Rev. Caldwell asks the Interim City Manager if she has the pricing of that bill with her. Interim City Manager MaryLouise Bittner responds no. Rev. Caldwell states that it was an astronomical price for dogs rounded up by the police and taken to the kennel. Councilwoman Washington states that it was about \$26,000. Rev. Caldwell states that it's too much money that we are looking at and I'm looking at how did it get that high because you haven't been feeding them lobsters and caviar for that type of money because we don't even spend that type of money on ourselves to feed our families and we are feeding five to six people at a time. A woman from the audience asks did you all ask for an itemized bill. Councilman Rev. Caldwell states that's what he is going to get so we can see how it got that high and the purpose of getting that high. Councilwoman Henderson-Murphy states that the City Solicitor was to look into it but the way she remembers it, he never got back to us on it. A woman from the audience asks Rev. Caldwell if they are still taking peoples dogs, "Are you still using their service?" Rev. Caldwell responds, "No." The woman from the audience asks how they get the dogs. Chief Dunlevy responds stating that they will be transferred to the State Humane Society.

Workshop Item #21: Discussion on the second reading of Ordinance setting the Land and Building Tax rates for 2019.

Councilman Rev. Caldwell states that we do have the second reading coming up and we already had the first reading. Rev. Caldwell states that he knows everyone is worried about taxes being raised but it is the same thing we do year after year where taxes are not going up but it is something that we have to just have in writing. Rev. Caldwell also states that you'll see a notice on your taxes that your place will still be pretty much around the same price so we don't want

anyone alarmed about their taxes being outrageous because our job is to make sure we keep our City happy, our residents happy and I want to be happy to as an owner of a couple buildings myself. Rev. Caldwell states that we are trying to keep them at a low base so we don't have to raise taxes. Interim City Manager states, "Just so you know, this is housekeeping. Your tax bills are what they are; it's not an additional tax beyond what you already have been billed for."

Workshop Item #22: Discussion on second reading of Ordinance setting the Earned Income Tax rates for 2019.

Councilman Rev. Caldwell states that it is the same thing as what we just discussed so the second reading will be done at the next meeting.

Workshop Item #23: Discussion on adoption of the Landlord-Tenant Ordinance.

Councilman Rev. Caldwell states that this ordinance is so that we can keep these landlords, especially the out of town landlords, at a place where they have to take care of their property. Rev. Caldwell states that we are looking to charge a \$50 fee to every landlord for their property up front before renting them out that way we have something. Rev. Caldwell states that we want to increase it some but we are unsure on how we will be able to increase it any. Rev. Caldwell continues on to say that the whole average around the County is \$50 so we decided just to go with the average that every city charges in the County which is \$50 so we will just keep it at the average amount. Councilwoman Henderson-Murphy states that the COG was just discussing the fact that they were trying to create a database so if the landlords have properties here that are not being maintained and other cities, the database will keep track of the landlord properties and the various cities they have property in along with informing you of delinquent taxes.

Workshop Item #24: Discussion of storm water management ordinance authorized to advertise at the October 9, 2018 meeting.

Councilman Rev. Caldwell asked what this ordinance is. Interim City Manager MaryLouise Bittner responds saying that it has to do with storm water management and that's all she can tell you. Councilwoman Washington asks is it the raising of the storm drains. Ms. Bittner states here's what happened, saying that we got a small grant from the County to update this and it never got done, never got completed so the grant expired but we still don't have it and it's a matter of whether or not you want to do this update or not. Ms. Bittner also states that she does not have the ordinance in hand to know where the ordinance came from. Councilman Rev. Caldwell says to table this item until the next meeting so we have the ordinance in hand and then see what it will cost us and also to see if we can renegotiate the grant.

Workshop Item #25: Discussion on the first reading of the ordinance creating Tobacco-Free Zones for local parks and playgrounds.

Councilman Rev. Caldwell states that he believes there should be tobacco-free zones where are kids are playing so that they don't have to suck in the second-hand smoke from people smoking or vaping around them. Rev. Caldwell states that we will have our first reading come at our next meeting on this. Rev. Caldwell states that he believes there's already an ordinance written on this so again we will have our first reading on this come our next meeting.

Workshop Item #26: Discussion on the first reading of ordinance adopting the Complete Streets Policy (similar to City of Pittsburgh policy).

Kristen Maser, Act 47 Coordinator's Assistant states that a complete streets policy is basically a policy that a city or municipality can adopt that more or less doesn't commit you to anything, but that says when there is an opportunity to redo a road that the city will take that and look at

different roads during that. Ms. Maser continues on saying that it's not really binding, but it's something that shows that it's committed to the best practices as far as the planning goes and City of Pittsburgh, Etna and Sharpsburg have one.

Workshop Item #27: Solicitor update on status of ordinance.
Tabled due to the absence of City Solicitor Myron Sainovich.

Rev. Debra Chaffin states that a neighbor asked her to come down here as a member of the Citizens' Police Review Board so that we can be introduced properly to the members of Council, Police Chief, Fire Chief and everyone involved. She asked me to type up some letters and I have six complaints. Rev. Chaffin states that she was up until 4 o'clock typing up the complaints. Rev. Chaffin states that she doesn't have all the information that she needs like proper protocol and proper procedures and codes. Rev. Chaffin states that she does have some and also has handouts for every member on Council and the Chief who I have been trying to get in touch with for a while. Rev. Chaffin states that she has left her number and never received a call.

Motion to adjourn at 8:15PM:

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

Nickole Nesby, Mayor

MaryLouise Bittner, Interim City Manager