

The Agenda and Council Meeting of the City of Lower Burrell was held on Monday, February 4, 2019 at 6 PM. Roll call indicated the following present: Councilman Fabry, Councilman Hamilton, Councilman Koziarski, Councilman Grillo, Controller Farina, Public Works Foreman Scott Johnson, Chief Tim Weitzel, Zoning/Ordinance Officer Michael Nedley, Mayor Callender, and City Administrator Amy Rockwell. Absent was Treasurer Eshbaugh.

**AGENDA MEETING**

Mr. Dave Simon, 119 Sylvan Drive, Lower Burrell questioned an item under New Business concerning Stephen Yakopec. Mayor Callender informed those in attendance that personnel matters are discussed in Executive Session only. The City of Lower Burrell is legally bound not to reveal personnel matters in a public meeting. Those wanting to know details can question Mr. Yakopec.

Cheryl Szypulski, 2648 Nixon Street was concerned how a law firm could represent her community and her needs. Mr. Yakopec lives in the community. She also questioned if the City has good management.

John Hynes, 3120 New Hampshire Drive wondered if a budget item could be negotiated with Mr. Yakopec.

Carol Beale, 108 Schreiber Street felt it was not fair to Mr. Yakopec as he and his wife both serve our community.

David Magill, 3210 Leechburg Road spoke of his support for Mr. Yakopec and is sorry to see him go.

Helen Makara, 2837 Thor Drive has had to make similar decisions concerning matters with Burrell School District and does not agree with Council's decision.

On behalf of Council, Councilman Hamilton introduced himself and stated that every decision on Council is viewed on how it affects each and every person. Council is charged with making decisions that may not be favorable but are in the best interest of the City of Lower Burrell.

Stephen Yakopec, 241 Kentucky Drive said he had never been told of a problem with his legal work and has never been given a chance to fix any problem. He truly does not know what he did or did not do prompting Council's decision.

Jay Lombardo, 2523 Carl Avenue asked that since the matter hadn't been voted on yet, if Council would reconsider retaining Mr. Yakopec.

Judy Simon, 119 Sylvan Drive can't feel proud of her town anymore.

At this juncture, Mayor and Council adjourned to Executive Session from 6:28 to 6:41 PM.

At 6:41 PM, the Agenda meeting was called to order.

- A) Discussed reappointing Charles Markle to the Zoning Hearing Board. Councilman Grillo will speak with Mr. Markle.
- B) Discussed the appointment of Health Inspector to the Tri-City Health Department. Ms. Rockwell updated Mayor and Council on the search for a replacement after Mr. Solinski resigned. Mr. Patrick Maguire was interviewed, and his proposal and proposed fees were discussed. Ms. Rockwell has been in touch with the state to let them know of the City's struggles for a replacement. Department of Agriculture may handle complaints.
- C) It is possible that Allegheny County would handle complaints.
- D) Discussed draft of road opening permit for review.
- E) Discussed Sewage Rates. Rates will increase due to treatment costs from MSANK and debt service. Consumption rates were not increased.
- F) Discussed Resolution # 1-2019 – City Fees. This will be reviewed yearly at budget time.
- G) Discussed removal of tanks and fleet card program.

The Agenda meeting finished.

The Council meeting started at the conclusion of the Agenda meeting.

**CORRESPONDENCE:**

Collection Service Center.

Engineering Report from Senate Engineering.

**EXECUTIVE DEPARTMENT REPORTS:**

**Councilman Koziarski:** No report.

**Councilman Hamilton:** The list of jobs completed was available. He provided information on the MS4, LTCP, Sewage update, and camera inspection.

**Councilman Grillo:** The monthly and a year to date report for building permit and correspondence for ordinance violations was on file as well as the occupancy inspection report for January 2019.

**Controller Farina:** No report.

**Public Works Foreman Johnson:** Carl Avenue has been completed. The City of New Kensington's bucket truck was borrowed. Night crew is conducting sign reflectivity checks.

**Chief Weitzel:** Chief Weitzel had reports on calls for service, patrol mileage, arrests, and incidents. He spoke concerning PELRAS.

**City Administrator Rockwell:** Ms. Rockwell updated Council about city hall renovations. The DEP has reviewed the sewage facilities planning module and has requested a full module. We are appealing that decision; we are not adding new flows.

**Zoning/Ordinance Officer Nedley:** No report.

**Mayor Callender:** No report.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- 1) Motion by Mayor Callender, second by Councilman Grillo to approve the Council meeting minutes from January 7, 2019. Roll call vote indicated: Mayor Callender: AYE; Councilman Grillo: AYE; Councilman Koziarski: AYE; Councilman Hamilton: AYE; Councilman Fabry: ABSTAINED. 4 AYES, 1 ABSTAIN. All in favor.
- 2) Motion by Councilman Grillo, second by Mayor Callender to accept the Treasurer's Report and pay all bills. Roll call vote indicated: Councilman Grillo: AYE; Mayor Callender: AYE; Councilman Koziarski: AYE; Councilman Fabry: AYE; Councilman Hamilton: AYE. 5 AYES. All in favor.
- 3) Announced an Executive Session that was held January 7, 2019 from 8:25 PM to 9:25 PM.
- 4) Announced an Executive Session that was held February 3, 2019 from 2:10 to 3:10 PM.
- 5) Announced an Executive Session that was held February 4, 2019 from 6:28 to 6:41 PM.
- 6) Motion to reappoint Charles Markle to the Zoning Hearing Board was tabled until March 4, 2019.
- 7) Motion by Councilman Hamilton, second by Councilman Fabry to approve first reading of Ordinance # 1-2019 – No Parking Signs on MacBeth Drive. Roll call vote indicated: Councilman Hamilton: AYE; Councilman Fabry: AYE; Councilman Grillo: AYE; Councilman Koziarski: AYE; Mayor Callender: AYE. 5 "AYES." All in favor.
- 8) Motion by Councilman Hamilton, second by Councilman Fabry to approve second reading of Ordinance # 1-2019 – No Parking Signs on MacBeth Drive. Roll call vote indicated: Councilman Hamilton: AYE; Councilman Fabry: AYE; Councilman Grillo: AYE; Councilman Koziarski: AYE; Mayor Callender: AYE. 5 "AYES." All in favor.
- 9) Motion by Councilman Fabry, second by Mayor Callender to approve Resolution # 1-2019 – City Fee Schedule. Roll call vote indicated: Councilman Fabry: AYE; Mayor Callender: AYE; Councilman Hamilton: AYE; Councilman Koziarski: AYE; Councilman Grillo: AYE. 5 "AYES." All in favor.
- 10) Motion by Mayor Callender, second by Councilman Fabry to unappoint Stephen Yakopec, Jr. as city solicitor. Roll call vote indicated: Mayor Callender: AYE; Councilman Fabry: AYE; Councilman Hamilton: AYE; Councilman Koziarski: AYE; Councilman Grillo: NAY. 4 "AYES;" 1 "NAY." Approved.
- 11) Motion by Mayor Callender, second by Councilman Hamilton to remove the underground storage tanks to allow for building renovations at a maximum cost of \$9,700 and to explore fleet card option. Roll call vote indicated: Mayor Callender: AYE; Councilman Hamilton: AYE; Councilman Fabry: AYE; Councilman Koziarski: AYE; Councilman Grillo: AYE. 5 "AYES." All in favor.
- 12) Motion by Councilman Hamilton, second by Councilman Fabry to apply for the DCED Watershed Restoration Grant. There is \$100 application fee and a 15% match. Roll call vote indicated: Councilman Hamilton: AYE; Councilman Fabry: AYE; Councilman Grillo: AYE; Councilman Koziarski: AYE; Mayor Callender: AYE. 5 "AYES." All in favor.

**PUBLIC COMMENTS:**

Richard Milito, 409 Glenmore Street, commented on wage tax.

Stephen Yakopec questioned an advertised position in Public Works. He also listed accomplishments during his tenure as solicitor.

**ADJOURNMENT:**

With no further business coming before council, a motion was made to adjourn the meeting at 7:44 PM.

Amy S. Rockwell, City Administrator

Richard Callender, Mayor