

**WILKINSBURG BOROUGH COUNCIL MEETING**  
**Legislative Session**  
**April 11, 2012**

**CALL TO ORDER**

Mayor John Thompson called the meeting to order at approximately 7:03 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkinsburg, PA.

**ROLL CALL**

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Ms. Moore (via telephone connection), Ms. Goodman Ms. Macklin, Also present were Mayor John Thompson, Marla P. Marcinko, Borough Manager and Mike Witherel, Borough Solicitor. Vice President McCarthy-Johnson and President Cohn were absent. A quorum was established.

**PLEDGE OF ALLEGIANCE**

Following the pledge of allegiance, a moment of silence was observed to remember victims of violent crime and soldiers serving in our armed forces.

**PUBLIC COMMENT**

**Wilbert Wright – 1315 Clark St.** – Questioned the requirements for public notification of public hearings and a decision of Council on the police services proposal from the City of Pittsburgh.

**Alice Williams – 1413 Marlboro Ave.** – Questioned the proposed structure and staffing for contracted police services. Ms. Marcinko clarified that the staffing numbers and positions are as listed on the proposal from the City and would be stationed at the current Wilkinsburg Station. Clerical staffing is proposed to provide for walk-in assistance 7 days a week on the AM and PM shifts. The staffing level proposed is for 30 police officers.

**Glenn Freund – 807 Rebecca Ave.** – Commented on a fire at 815 Rebecca and complimented the fire department on their quick response. There had been a similar incident at this location 6-7 years ago which resulted in the loss of life. Looking at the immense response with this most recent incident, Mr. Freund suggested that it is important to consider the big picture when it comes to the efforts of first responders. There are budgetary constraints and resources are stretched too thin. He stated that he is not in favor of lay-offs but Council should not dismiss the City proposal out of hand. He stated that Council should consider the proposal and look at all alternatives. He commented that the fire department merger is a good model.

**Linda Law – 908 Wood St.** – Announced Redd-Up in Wilkinsburg spring clean up day, honoring Earth Day and the Wilkinsburg 125<sup>th</sup> Anniversary, will be held on April 21, 2012. Participants will meet at the Fire Department. Dumpsters will be located throughout the community.

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She announced that The Sanctuary Project is hosting an annual golf outing at Southpointe. On April 12, 2012 at 6:30 p.m. there will be an organizing event for the Obama campaign and a recruitment of volunteers for canvassing, phones and data entry. Ms. Law commented on the loss of autonomy if police services are contracted to the City and requested Council take that under consideration.

**Dennis Briggs 1016 Ross Ave.** – Commented on the police department proposal and relayed a story of his family dog that went missing for seven months. Wilkinsburg Police Department was able to return the dog to his family. Mr. Briggs spoke of the importance of compassion and personal service from a local police department. He expressed his support of the department and Chief Coleman. He commented on leadership and the need for transparency of the process.

**Denise Edwards – 118 Peebles St.** - She expressed being deeply troubled over the origin of the proposal. She questioned why Council was continuing with the process given the concerns expressed and public outcry. She urged Council to halt this process now and to have public debate and include the community.

**Marilyn Albert – Hampton Ave.** – She commented that she had glanced at the proposal and questioned if the process continues whether there would be public hearings. Ms. Marcinko responded to previous comments that decisions have already been made by the time public hearings are held. She stated that is not how that process works and was not the case with the fire department merger. Public hearings were held months in advance of any action being taken by Council. Ms. Albert commented that to not look at the possibility for better police services is irresponsible.

**Clarence Porter – 446 South Ave.** – Commented on an incident with dumping by DPW and a problem with parking. Mr. Porter spoke in support of Chief Coleman and commented that he has seen improvement over the years.

**AGENDA ITEMS**

- 1. Adopting Ordinance no. 2888 – Establishing Handicap Parking Space – 1114 South Avenue.**

**Moved:** Mr. Lefebvre

**Second by:** Ms. Macklin

**All voted in favor of the motion. Motion carried.**

- 2. Adopting Ordinance No 2889 – Joint UCC Appeals Board.**

**Moved:** Ms. Macklin

**Second by:** Ms. Evans

**All voted in favor of the motion. Motion carried.**

- 3. Adopting Ordinance No. 2890 – Establishing yield intersection and parking restrictions.**

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**Moved:** Ms. Macklin

**Second by:** Mr. Lefebvre

**All voted in favor of the motion. Motion carried.**

- 4. Authorizing the advertisement of Ordinance No. 2891 – Eliminating residential parking restriction – 1000 block of Mifflin Avenue.**

**Moved:** Mr. Lefebvre

**Second by:** Ms. Evans

**All voted in favor of the motion. Motion carried.**

- 5. Authorizing the advertisement of Ordinance No. 2892 – Civil penalties for code violations.**

**Moved:** Ms. Evans

**Second by:** Mr. Lefebvre

Ms. Ervin questioned whether Council is only approving the advertisement of the Ordinance with Ms. Marcinko responding yes.

**All voted in favor of the motion. Motion carried.**

- 6. Approving Council Meeting Minutes of 3/7, 3/14, and 3/28 2012.**

**Moved:** Ms. Evans

**Second by:** Mr. Lefebvre

Mr. Lefebvre questioned who seconded the motion on page three of the March 21, 2012 minutes. He didn't believe it was Ms. McCarthy-Johnson. Ms. Marcinko will check her notes. If there is a correction to be made, she will do so. Ms. Macklin questioned the March 7, 2012 minutes regarding the "statement read aloud by President Cohn". She questioned whether there was a copy of the statement. Ms. Marcinko stated she did not have one. Ms. Macklin suggested including it in the minutes. Ms. Macklin responded to a question from public comment that the minutes reflect the comments made by the public at prior meetings.

**Moved:** Ms. Evans

**Second by:** Mr. Lefebvre

**All voted in favor of the motion. Motion carried.**

- 7. Approving March Checks Issued in the amounts as follows:**

Regular Distributions 03/01/12 – 03/31/12	\$ 426,598.86
Payroll Disbursements	\$ 268,654.79
Voided Checks	\$ ( -0- )

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Total

\$ 695,253.65

**Moved:** Ms. Evans

**Second by:** Mr. Lefebvre

**Yes:** Ms. Evans, Ms. Moore, Ms. Goodman, Mr. Lefebvre

**No:** Ms. Ervin, Ms. Trice, Ms. Macklin

**Motion carried 4:3**

**8. Approving Resolution No. 12-027 – Intergovernmental Cooperation Agreement – UCC Appeals Board.**

**Moved:** Ms. Macklin

**Second by:** Ms. Goodman

**All voted in favor of the motion. Motion carried.**

**9. Approving Resolution No. 12-028 – Reappointing Barbara Thompson – Zoning Hearing Board.**

**Moved:** Ms. Ervin

**Second by:** Ms. Goodman

**All voted in favor of the motion. Motion carried.**

**10. Approving Resolution No. 12-029 – Reappointing John Irwin – WMA.**

**Moved:** Ms. Ervin

**Second by:** Mr. Lefebvre

**Yes:** Ms. Ervin, Ms. Evans, Ms. Moore, Ms. Goodman, Ms. Macklin, Mr. Lefebvre

**No:** Ms. Trice

**Motion carried 6:1**

**11. Approving Resolution No. 12-030 – Opening Day Parade – Wilkinsburg Baseball Association.**

**Moved:** Ms. Macklin

**Second by:** Ms. Goodman

**All voted in favor of the motion. Motion carried.**

**12. Approving Resolution No. 12-031 – Opposing HB 1523 relating to lost and stolen handguns.**

**Moved:** Ms. Macklin

**Second by:** Ms. Goodman

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**All voted in favor of the motion. Motion carried.**

**13. Approving Resolution No. 12-032 – Supporting HB 1682 relating to land banking.**

**Moved:** Ms. Ervin

**Second by:** Ms. Trice

Ms. Macklin commented that currently the Wilkinsburg Redevelopment Authority has the authority to land bank and questioned whether this will change with the legislation. She questioned where HB 1682 will place that authority and why it is necessary in addition to a redevelopment authority. Ms. Evans commented about the resolution and that the redevelopment authority does not have the authority to land bank. Mr. Witherel concurred. Ms. Evans clarified that the resolution calls upon the legislature to pass the legislation without amendments. Ms. Marcinko commented that the legislature had considered excluding Allegheny County and Philadelphia County.

**All voted in favor of the motion. Motion carried.**

**OLD BUSINESS**

**1. Approving Storefront Improvement Grant Program.**

**Moved:** Mr. Lefebvre

**Second by:** Ms. Goodman

Ms. Macklin questioned whether language had been included to require a lien be placed on the property if it transfers within a period of five years from receiving the grant. Mr. Witherel stated that it is currently 2 years but can be changed to 5 years.

Ms. Ervin commented that she will not be voting in favor of the motion as she does not believe the WCDC should handle financial transactions. Ms. Marcinko clarified that the applications will be received by the WCDC and that the financial transactions are handled by the Borough. Ms. Ervin stated that she does not believe that the WCDC should receive a fee for the filing of the application. Ms. Evans clarified that the fee is an administrative charge for work performed and coordinated by the WCDC. Mr. Witherel questioned whether Council is comfortable with the sixty months as opposed to the twenty four months transfer clause. Council agreed to the change.

**Moved:** Mr. Lefebvre

**Second by:** Ms. Goodman

**Yes:** Ms. Goodman, Ms. Macklin, Ms. Moore, Ms. Trice, Mr. Lefebvre,

**No:** Ms. Ervin

**Abstain:** Ms. Evans

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**Motion carried 5:1 with 1 abstention**

Ms. Macklin read aloud the following and asked Council to accept it as a resolution:

**Whereas**, the Wilkinsburg Borough has its own paid police force,

**Whereas**, Wilkinsburg Borough Police serve our entire community professionally and with integrity.

**Whereas**, the Wilkinsburg Borough residents and business owners, Mayor, and Council members acknowledge that a police force that is very familiar with its community, residents, youth and businesses is most effective and provides much needed community services to the Borough.

**Whereas**, a police force locally based and locally controlled is more able to be responsive to the safety and changing needs of our community.

**Whereas**, the majority of Council, President Cohn, Vice-President McCarthy-Johnson, Tracey Evens, Michael Lefebvre, and Eve Goodman released to the public this confidential information the City of Pittsburgh Police Proposal and placed it on the official Borough of Wilkinsburg website without the knowledge of, and/or discussion by, a vote of full Council in violation of the Sunshine Laws.

**Whereas**, the release of the City of Pittsburgh Police Proposal to the public further undermines community confidence in public safety and further undermines our police force's ability to protect and serve because it gives the appearance no matter what the majority of Council are going forward to outsource our police services.

**Whereas**, in the September, 2010 Comprehensive Plan for the Borough of Wilkinsburg there were many hearings on public safety and recommendations but there was no discussion on the necessity for safety purposes and/or for financial needs to outsource our police services.

**Therefore Be It Resolved** that the Wilkinsburg Borough Council order the Borough Manger, and Solicitor and any other representatives of the Borough of Wilkinsburg to cease and desist any and all further communications and efforts to contract out police services for the Borough of Wilkinsburg.

**Moved:** Ms. Macklin

**Second by:** Ms. Ervin

Mr. Lefebvre commented that this resolution has been presented several times and asked Mr. Witherel if releasing the proposal to the public was a violation of the Sunshine Law. Mr. Witherel responded that he had opined several weeks ago to Ms. Macklin that there was no violation of the Sunshine Law. Ms. Macklin questioned Mr. Witherel as to whether an individual Council member can make a change to the official Borough website without discussion first by full Council. Mr. Witherel commented that he can't speak to the Borough's process relating to posting information on the website and he understands that Mr. Cohn, as President of Council, made the decision to put the information on the website. He further commented that he was not aware of any vote by Council to do that outside of a public meeting. He commented on a communication that Mr. Cohn had sent indicating that he thought it best that the proposal was posted on the

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website. Ms. Macklin commented that based upon the Solicitor's opinion, she is willing to remove that provision from the resolution. Mr. Witherel clarified for the record that the amended motion will exclude the recital relating to a Sunshine Law violation. Ms. Moore commented that Council has not discussed the proposal as a body. Ms. Evans commented that the Borough is involved in collective bargaining with the Police Department and that it is probably best not to discuss the proposal at this time.

**Moved:** Ms. Macklin

**Second by:** Ms. Ervin

**Yes:** Ms. Macklin, Ms. Moore, Ms. Trice, Ms. Ervin

**No:** Ms. Goodman, Mr. Lefebvre, Ms. Evans

**Motion carried 4:3**

**NEW BUSINESS**

Ms. Evans announced an Affordable Housing Coalition that stemmed from conversations on how to assist residents with code violations. A pilot program will begin in the Princeton Park neighborhood in Wilkinsburg to renovate homes April 28, 2012. Ms. Evans named the organizations helping to fund the project. She will be asking Council to consider waiving permit fees, not inspection fees, for these projects. Ms. Ervin inquired as to who applies for the permits. Ms. Evans responded that the contractors will apply for the permits. Ms. Macklin commented about focus areas for redevelopment in the Comprehensive Plan.

Mayor John Thompson announced the 125<sup>th</sup> Anniversary and selling of commemorative decals to assist with funding the celebration events.

Ms. Macklin announced that she met with Mr. Tim Weinstein and the School District and organized a motivational speaker engaged for middle and high school students on financial literacy. Mr. Ryan Mack was the presenter and he brought with him three engineers from the National Black Engineer's Society.

**ADJOURNMENT**

Being no further business, on motion by Ms. Goodman; second by Ms. Evans the meeting was adjourned at approximately 8:17 PM.

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Jason Cohn, Council President