

**BOROUGH OF WILKINSBURG COUNCIL MEETING**  
**Planning Session**  
**April 4, 2012**

**CALL TO ORDER**

President Cohn called the meeting to order at approximately 6:37 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. Present were Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Ms. Moore (via telephone connection), Ms. Goodman, Ms. McCarthy-Johnson, Ms. Macklin and President Cohn. Also present were Mayor John Thompson and Marla P. Marcinko, Borough Manager. A quorum was established.

**PLEDGE OF ALLEGIANCE**

Following the pledge of allegiance, a moment of silence was observed for victims of violent crime.

**SPECIAL PRESENTATION**

**Former Pittsburgh City Councilman Doug Shields – HB 1523**

President Cohn introduced Mr. Shields. Mr. Shields described his experience in public service and that he is now a consultant for CeaseFire PA. Mr. Shields described the escalation in gun-related violence which has become a matter of public health. He spoke about lost and stolen handgun legislation being a tool which does not violate constitutional rights. HB 1523 erodes the authority of local governments to enact legislation and allows those without standing to sue the municipality. Mr. Shields is requesting assistance from Council to marshal an effort to send a message to the General Assembly.

Mr. Conroy of CeaseFire PA spoke about providing support to municipalities. Mr. Shields extended an invitation to a meeting to discuss the bill.

Ms. Macklin inquired as to what residents and Council members can do. It was recommended that they contact legislators and leaders of the General Assembly and support the defeat of HB 1523 through adoption of a resolution. Ms. Macklin inquired as to whether there are petitions which may be signed. Mr. Shields advised that there are. Mr. Conroy advised Council that petitions are available on the CeaseFire website [www.ceasefirepa.org](http://www.ceasefirepa.org) or by contacting him directly at [robconroy@ceasefirepa.org](mailto:robconroy@ceasefirepa.org).

President Cohn thanked Mr. Shields and Mr. Conroy for the presentation and their work on this effort. Mayor Thompson commented on the need to effectively communicate and educate the need for the legislation at the grass roots level.

### PUBLIC COMMENT

**Karen West-Butler – 7343 Beacon Hill Drive** – She received a flyer regarding the Wilkinsburg Police Department. She spoke in support of the Wilkinsburg Police Department. She questioned statistics on response times.

President Cohn commented that he will not be providing further comment on this matter and that there is no plan for Council action tonight or any point in the future. He advised that any proposal given serious consideration would be performed in conjunction with a series of well-advertised public hearings. Ms. Macklin commented that she was not informed of the negotiations and did not know a proposal had been received. She commented that the proposal was posted on the Borough website by someone other than the Borough Manager. She commented that Council had not discussed the proposal and that Mayor Thompson had not been included in the discussions with the City. She commented that once an issue gets to the public hearing stage, a decision has already been made. President Cohn commented about misinformation being distributed by the union and the Democratic Committee Club and that Ms. Macklin is providing false information to the public. Ms. Moore commented that there may be new residents in attendance at the meeting and Council should provide a summary of what has transpired to this point.

**Gloria Calkins – 7384 Beacon Hill Drive** – She stated that she is speaking to those she believes are in support of the proposal. President Cohn responded that no members have made a decision. Ms. Calkins commented that she will work to educate residents in Beacon Hill to support the Wilkinsburg Police Department.

**George Edwards – 118 Peebles St.** – Spoke in support of CeaseFire PA efforts. He commented that he has seen Republican efforts against unions. He urged Council to adopt the resolution which has previously been presented by Ms. Macklin and drop the matter and negotiate with the union. He asked the Chief if she supports the City proposal. Chief Coleman stated that she does not support the proposal and was not consulted on the matter.

**Sandra Brown – 1208 Wood St.** – Spoke in support of the Wilkinsburg Police Department. Ms. Brown suggested hiring more officers and that Wilkinsburg officers know the community.

**James Fulton - 1456 Center St.** – Questioned what happens to the current officers under the City proposal and commented that Pittsburgh doesn't know the area. President Cohn responded that the proposal calls for new officers to be placed here and Wilkinsburg officers would not be hired by the City.

**E. Clifford Cyrus – 1456 Center St.** – Commented that the Pittsburgh task force pushed problems into Wilkinsburg and that East Hills has their own private police force.

**Kate Luxemburg – 432 Rebecca** – Questioned whether the EIP Phase II presentation will be rescheduled. She commented on non-resident earned income tax. She stated that she does not believe it is advisable to increase permit fees. She commented that Director Gramz is focused on Code Enforcement and that the Borough needs to incentivize people to invest in the community. She commented that the public should not have to sign in to visit the public library. President Cohn questioned when this policy was instituted. Ms. Moore responded that it was sometime around September 11, 2001. President Cohn asked Chief Coleman if she thought the practice was necessary and she responded that she did.

**Denise Edwards - 118 Peebles St.** – Referred to a March 22, 2012 Pittsburgh Post Gazette East section article wherein it was stated that the proposal reflects that the “City will have complete control” and will be answering calls in other zones. She commented that the City is already thinking about who will be stationed in Wilkinsburg. She commented that Council is not listening to the public and that Council can take action to stop the process.

**Wilbert Wright - 1315 Clark St.** – Thanked Eve and Michael for help in completing a psychological evaluation. He stated to President Cohn that he did not know the difference between a racist and a bigot.

**Corrine Scott - 1409 Mill St.** – Spoke in support of police officers. She questioned the community’s right to vote on the matter. She commented on vacant properties on Glenn Ave. and their poor condition. Ms. Moore commented that the properties on Glenn and Mill Streets had been brought to Council in 2004.

President Cohn closed the Public Comment portion of the meeting. Council recessed at approximately 7:52 p.m.

Council reconvened at approximately 8:05 p.m.

A motion was made by Ms. Macklin, second by Ms. Ervin, to adopt the following resolution:

**WHEREAS** the Wilkinsburg Borough has its own paid police force **WHEREAS** Wilkinsburg Borough Police serve an 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 Evans, 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, 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 that no matter what the majority of Council are going forward to outsource our police services. **THEREFORE BE IT RESOLVED** that the Wilkinsburg Borough Council order the Borough Manager, 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 to the City of Pittsburgh or to any other entity.

Mr. Cohn stated that no action is scheduled on this matter and Council has not indicated whether or not they are in favor of the proposal. He commented that the fire department merger was different. He stated that he did not believe it to be appropriate to tie Council's hands as Council has the responsibility to look at options. Ms. Edwards responded to President Cohn's statement regarding her involvement with prior intergovernmental cooperation agreements. Ms. Moore admonished President Cohn and commented that the current matter does not have anything to do with former Council members.

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

**No:** Ms. Evans, Ms. Goodman, Ms. McCarthy-Johnson, Mr. Lefebvre, President Cohn

**Motion failed 4:5**

## **FINANCE**

### **1. Proposed fee schedule – Building and Codes**

Mr. Lefebvre stated that comments or questions should be directed to Sean Gramz. Ms. Macklin commented that the Finance Committee recommended an update to the fee schedule a year ago which was adopted by Council. She stated her concern that increased fees may deter people from making improvements to their property. She commented on the lack of code enforcement for years. Ms. Trice commented on the recommended fee for a fence permit. Ms. Macklin commented on the average household income of residents in Wilkinsburg and suggested taking another look at this in a year or two. Ms. Trice expressed concerns for costs to seniors who are trying to maintain their properties. Ms. Marcinko clarified that the proposed schedule relates to permit fees and not inspection fees. Ms. Moore questioned restitution costs. Ms. Marcinko clarified that what is listed is what is currently being charged and no increase is proposed for restitution charges for staff time. Restitution costs are presented to the Magistrate as part of the citation if the Borough incurs costs for time and materials to correct a hazard or deficiency. Ms. Ervin questioned if board up costs are recouped. Ms. Ervin questioned occupancy permit fees and how often inspections will occur. Ms. Marcinko advised that the rental inspection program is a different program altogether. President Cohn encouraged Council to go through the list and share their concerns with the Manager.

## **2. Revolving Loan Fund – Storefront Improvement Program.**

Mr. Lefebvre deferred to David Egler, Finance Director. Mr. Egler reported that the Revolving Loan Account has a balance of \$15.98 and the RAP (Rehabilitation Assistance Program) Repayment Fund has a balance of \$53,331.54. Mr. Egler contacted the Borough's auditing firm for advice and a recommendation. The auditors were supportive of a grant program, not a loan program. The auditors recommended continuing to maintain these funds in a separate account. The name on the account can be changed. Ms. Macklin expressed concern that the funds were originally received for a low interest loan program. She stated her support of the business community but does not believe it would be fair to exclude residents. Ms. Marcinko clarified that 100% of the costs for the storefront improvement must be paid before the applicant is eligible for 50% reimbursement. Ms. Evans commented on the proposed program which has been put forward by the WCDC in the interest of filling storefronts and adding new businesses. Ms. Ervin stated that she supports a loan program. Ms. Goodman commented on the difficulty in implementing a loan program. President Cohn also expressed concern regarding the administration of a loan program. Ms. Evans commented on similar efforts in other communities. Ms. Moore questioned the number of businesses which have expressed an interest. Ms. Evans responded that there has been much interest and that this initial investment may lead to additional funding from other foundations. Mayor Thompson spoke in favor of a grant program to motivate businesses to make improvements. Ms. Evans commented that she does not believe there is a rentable storefront in the business district. Ms. Macklin questioned whether there is a differentiation between a property owner and a business owner and what agency would be approving the applications. Ms. Evans responded that the WCDC approves the reimbursement and that the program documents indicate that the WCDC Executive Director provides the approval. She cited Jean's Southern Cuisine and the day care center on Wood Street as business owners who invested in the community, not property owners. Ms. Evans commented that the applications are submitted to the WCDC and reviewed by its Design Committee and then submitted to the WCDC Board for approval. Ms. Macklin stated her support of a clause in the agreement which would provide for a lien to be filed against the property if the property transfers within a certain time period. Ms. Evans advised that she would abstain from voting on the matter. President Cohn requested the matter be placed on the next agenda with the additional language requested by Ms. Macklin.

### **GENERAL MATTERS**

#### **1. Authorizing award of the CD 37 Demolition Project to JR Paving and Construction in the amount of \$42,700.**

**Moved:** Ms. Evans

**Second by:** Ms. Trice

Ms. Trice requested that 1441 and 1441 ½ Cresson Street be included. She stated that there is an elderly homeowner at 1443 Cresson.

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

**2. Authorizing the award of the CD 37 Street Reconstruction Project to Victor Paving in the amount of \$205,575.30.**

**Moved:** Ms. McCarthy-Johnson

**Second by:** Ms. Goodman

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

**3. Authorizing the signing of the Grant Agreement with DCNR – Ferguson Park Renovations.**

Ms. Macklin commented that the proposal has not come to the Planning Commission. President Cohn read aloud a summary of the project. President Cohn questioned the time frame for receipt of the grant money and Ms. Marcinko advised that it would most likely be next spring. President Cohn expressed his concern over the local share required. Ms. Moore questioned whether grants were received from other organizations. Ms. McCarthy-Johnson stated not as of this time but that this award could lead to other funding opportunities and that the site is a visible and highly-used facility. Ms. Evans agreed with the assessment regarding matching funds. Ms. Macklin commented that the Planning Commission should review the project. Ms. McCarthy-Johnson informed Council that the plan has been reviewed by DPW and the Parks and Recreation Advisory Board. President Cohn commented that the plan has been reviewed and it does not constitute a land development. Ms. Evans commented that the Community Art and Civic Design Commission should also review. Ms. Macklin questioned the size of the basketball court. Ms. McCarthy-Johnson believes it is high school regulation size. Ms. Macklin suggested it be ensured that is the case.

**Moved:** Ms. McCarthy-Johnson

**Second by:** Ms. Ervin

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

Ms. Trice asked that items not be placed on the agenda at the last minute in order to allow for full review by Council.

**4. Waiver of time limit – Banners for the 125<sup>th</sup> Anniversary.**

President Cohn suggested delaying action on this matter until further information is available with regard to locations for the banners. Mayor Thompson inquired as to what additional information is needed and that the 125<sup>th</sup> Anniversary Committee is looking for a time limit waiver. Mayor Thompson commented that the Committee is in the process of securing funding and has received a quote for four banners at \$325 each and \$300 each if five or more are purchased. Sites have been identified for banner placement. Ms. Macklin stated her support of taking action on this matter in the interest of a successful event for the 125<sup>th</sup> Anniversary Celebration. President Cohn did not have any specific

objection and expressed his concern with taking action when all the details are not known. The banners will be placed from June through October 2012.

**Moved:** Ms. Macklin

**Second by:** Ms. Trice

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

**5. Banner request – Wilkinsburg School District kindergarten registration.**

**Moved:** Ms. Evans

**Second by:** Ms. McCarthy-Johnson

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

**ADJOURNMENT**

Being no further business, on motion by Ms. Trice, second by Ms. McCarthy-Johnson, the meeting was adjourned at approximately 9:05 PM.

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Jason Cohn, President