

**CITY COUNCIL MEETING
MINUTES
Monday, August 10, 2009
7:00 p.m.**

Mayor Eisaman called the meeting to order at 7:00 p.m. City Administrator, Susan Trout, took roll call with the following members present: Councilman DePasquale, Councilman Peterinelli, Councilman Tridico, Councilman Finfrock and Mayor Eisaman. City Solicitor, Timothy McCormick and City Treasurer/Fiscal Director, Mary Perez were also present.

*****PLEDGE OF ALLEGIANCE*****Councilman Finfrock

*****PROCLAMATION–Mt. Odin Playscape Scout House*****Mayor Eisaman, “At this time I will read a brief proclamation prepared for the individuals who helped the City restore some buildings at our playscape area at Mt. Odin. At this time I will ask all those individuals involved in this project to please stand so they can be recognized.”

Mayor Eisaman read the proclamation, “**WHEREAS**, on this occasion we wish to acknowledge **Brownie Troop 70312** for planning a community service project in the **City of Greensburg** to achieve their **Brownie Quest Award**, and **WHEREAS**, their contribution to the **City of Greensburg**, its citizens and visitors, culminated in an addition of a **Scout House** to the **Mt. Odin Park Playscape**, and **WHEREAS**, their team efforts towards completing this project included enlisting the help of expert volunteers, their parents, community-minded businesses and the **Cub Scouts** and **Leaders** from **Cub Pack 405**, and **WHEREAS**, we wish to recognize and honor the **Brownies** from **Troop 70312**; **Braidy Fulton, Gracie Santora, Janie Snyder, Alexis Thompson, Maya Martin, Yalena Craig** and **Troop Leaders Carina Miller and Deborah Yurko** in their successful quest to make a difference in our community, and **WHEREAS**, we’d also like to take this opportunity to recognize **Nick Smith, DJ Trout, Elijah Houston, Teddy DiSanti, Ezra Grant** and their **Den Leaders Doug Smith, Doug Trout and Eric Houston** of **Cub Pack 405** for lending their assistance to **Brownie Troop 70312** in painting the **Scout House**, and **WHEREAS**, monetary donations and countless volunteer hours from family members and friends supported this project, and **WHEREAS**, this project would not have been possible without the generosity and commitment of **Vince Building Company** who donated several man hours and expertise to building the **Scout House** in addition to making needed improvements and repairs to existing **Playhouses**; **84 Lumber** for their donation of building materials; **Westmoreland Supply** for their donation of paint; **Mike Schultheis** who purchased the extra paint that was needed and a special thanks to the **Brownie dads, Quinto Martin**, for making the final artistic touches to the **Scout House**, and to **Brandon Craig** who designed the **Scout House**, and **WHEREAS**, today’s youth are tomorrow’s temporary leaders and this accomplishment speaks volumes on the values, work ethic and the empowered sense of giving the youth involved in this project have experienced and attained. **Now, I, Karl Eisaman, Mayor of the City of Greensburg, do hereby offer this Proclamation of Congratulations and Appreciation to Brownie Troop 70312** in celebration of the outstanding journey they’ve experienced in meeting the goals of their **Brownie Quest** through volunteerism.”

Mayor Eisaman continued, “Thank you all very much.”

*****4-H INTERNATIONAL EXCHANGE PROGRAM APPRECIATION*****Mayor Eisaman, “We’re also very fortunate tonight to have Cindy Arblaster, a 4-H educator, and Kelly Rowe, International Exchange Coordinator, from the 4-H.”

Ms. Arblaster, “I work with the Westmoreland County 4-H program. If you’re not familiar with 4-H, just briefly, we’re a youth development program funded through Penn State College of Agricultural Sciences. We offer life skills programming to youth ages 5-19 all across the County, State, Nation and Internationally. When people hear 4-H they think of cows and horses, but I actually work with the urban 4-H youth, so I do a lot of work in Monessen, New Kensington and Jeannette. We wanted to take the opportunity tonight to speak about our International Exchange Program where we have youth from other countries who are involved in their 4-H come over to our country for a month-long stay to experience living in the United States. This is Kelly Rowe, my co-worker, and she coordinates the International Program and she has a few words to say.”

Ms. Rowe, “This year the City of Greensburg was able to have three 4-Her’s host students. One hosted a girl from Norway and this time we have three students from Japan being

hosted in the City. So we're very pleased to share our City with them. I would like to introduce Yuumi Adachi from Hachioji, Japan and she has a letter and a gift for Mayor Eisaman from the Mayor in her town in Japan."

Ms. Rowe read the letter, "Dear Mayor, I would like to take the opportunity to express my gratitude for your City's participation in the International Exchange with our City's rising generation cherishing hopes for the future. The kindness shown in welcoming Yuumi Adachi is greatly appreciated. In this age of international understanding strongly demanded by citizens, international exchanges are an effective means to broaden the international views for young people. The Home Stay Program is one of the exchanges which is meaningful, and, in the meanwhile, a great contribution to world peace and international relations. I sincerely hope that the youth and citizens of both our Cities work together to develop even stronger ties in the future. Yours faithfully, Kurosu Ryuichi, Mayor of Hachioji."

The letter and a gift were presented to Mayor Eisaman.

*****COMMENTS/BUSINESS FROM THE FLOOR*****

Janice Coletti, 320 Stark Avenue, Greensburg, PA. Ms. Coletti, "I understand when I come to a meeting I have to be a resident of the area that has the problem therefore I'm speaking for two of the ladies who are more involved in the situation I'm about to explain."

Mayor Eisaman, "You don't have to be a resident to speak here."

Ms. Coletti, "Alright, fine. We have a dilemma in the area between the Eastmont Drive apartments and the Edgebrook apartments. There's a stretch of land that has been for sale for 25 years. On that land feral cats have been living for quite a while. People have been dumping their cats off in that neighborhood. People have been seen driving to the Edgebrook area and dumping their pets, so the population has increased. Patti and Dana have worked for the last 11 years taking care of the cats; feeding the cats, giving them shelter and also getting them neutered and spayed and trying to get the kittens out of there. They've tried their hardest to do whatever they can do. They've gotten some help along the way, however, at this point because of the economy and because people are dumping their pets, more cats have taken over. The land is being sold. We haven't heard officially, but we understand the Edgebrook owners are purchasing that land and they have made it clear through their employees to Patti and Dana that there will not be any more cats being maintained on that property. Therefore, Patti and Dana have been trying to get agencies, like humane agencies and animal shelters involved to help take a few cats. If each agency could take a couple of the cats that problem would be alleviated. Unfortunately, everyone they contact cannot take animals because they're overwhelmed with dogs and cats. So we're here to ask for help. Patti has talked to the Humane Society by Lynch Field and they were not of any help. They tried the Society for the Prevention of Cruelty to Animals (SPCA) and their local chapters tell you to contact your Humane Society."

Patti Popovich, P.O. Box 831, Greensburg, PA. Ms. Popovich, "So we're stuck with all these cats over there and when it gets sold we won't even be allowed to feed them. I don't think some of those cats will even go away; they're just going to die there so we're just asking for some help any way to get them out of there."

Mayor Eisaman, "We can try to talk to some of the agencies, but it is private property."

Solicitor McCormick, "The only involvement the City has with animals is we have a stray animal ordinance to protect the public from animals that aren't accounted for by their owners. I don't think that's what you're asking for. Other than that the City has no authority or division to get involved. We can only do what our ordinances empower us to do, and, again, that's restricted to stray animals or animals that are a danger to the general welfare."

Ms. Popovich, "Those are the sweetest cats out there."

Solicitor McCormick, "The problem is apparently that whoever owned that property before either wasn't involved or wasn't taking care of it. If the present owners are indicating they don't want cats or people on their property, that's certainly their prerogative. It doesn't sound to me like any one of you has exerted ownership interest; it's just out of humanitarian concerns, but really the City has no authority to get involved unless you're asking the City to come in and round the cats up. I don't think that's what you're asking for, are you?"

Mayor Eisaman, "If we round them up we would use the services of Hoffman Kennels and they will keep the cats only for a certain period of time."

Ms. Popovich, "That's why we're trying everything else. We just don't have any choice

anymore, because the people buying the property said if we're seen on that property when it's sold that we will be arrested."

Mayor Eisaman, "Unfortunately that is a civil matter. We have no right to go on somebody's property and tell them to allow other people on their property."

Solicitor McCormick, "Yes, we can't force them."

Ms. Popovich, "Well, maybe you could ask some of the animal shelters to see if they could help? We've tried every place and we're not getting any calls back."

Mayor Eisaman, "Give us a list of the places you have already contacted including phone numbers and contact names, and we'll see what we can do. Your last alternative, if you want us involved, is to call Hoffman Kennels."

Councilman Tridico, "How many cats are you talking about?"

Ms. Popovich, "There are maybe between 50 to 100. There are at least 30 babies and there are a few pregnant mothers. Last year we got 34 out of there and we thought we were doing good and this year we started getting them out and people came and broke our traps and didn't want us to do it. Those people don't even own the property; people from Pittsburgh own that property. We tried."

Mayor Eisaman, "We can see what we can do but we can't overpower the property owner."

Ms. Coletti, "If it got to the point where we give you the list and you contact all the other places, societies and agencies that normally help with this situation, and they can't help either....."

Mayor Eisaman, "From what you see on the news and in the newspapers, a lot of these agencies are overwhelmed."

Ms. Popovich, "If we get some publicity it might help to get someone to come in just like at Beech Hills. They got a little publicity and people came in and took so many cats, and that's what we're asking for. We called every newspaper and nobody has called us back or wants to do anything."

Mayor Eisaman, "We don't control the newspapers or the media. Get the list to the City Administrator's office and we'll see what we can do between the various agencies."

Ms. Coletti, "Thank you."

*****APPROVAL OF LAST MONTH'S COUNCIL MINUTES*****Councilman DePasquale **MOVED** to approve the minutes of last month's Council meeting, and Councilman Tridico **SECONDED**. No discussion. **Unanimously all voted in favor.**

*****APPROVAL OF MONTHLY BILL LIST*****Councilman Finrock **MOVED** to approve the bill list and pay the bills as the money becomes available. Councilman Peterinelli **SECONDED**. No discussion. **Unanimously all voted in favor.**

*****REPORTS OF COUNCIL*****

Councilman DePasquale, "The Recreation Department would like to announce that the Veterans' Memorial Pool will be open through August 23, 2009. It will be closed from August 24-28, 2009 and open again on the weekend, August 29-30, 2009. That will be the last day of the season. We are taking registrations for the following programs at the Kirk S. Nevin Arena; Learn-to-Skate Tot Session lessons for ages 3-5. This is a 5-week session and it is held on Thursday evenings from 6:30-7:00. The first session starts September 17, 2009. The ISI Learn-to-Skate Program is for ages 5 to adult. It is held on Thursday evenings at 5:30 for the advanced levels and at 6:00 for the beginner levels. There is no preregistration for this class. It will also start on September 17th. The other program we are offering is Learn-to-Play Hockey. This is for children ages 4-10. This program will be held on Saturday evenings. The beginner level will run from 6:00-6:45 and the intermediate level from 7:00-7:45. This is a 5-week program and will start on September 26, 2009. Finally, the public session ice skating will begin after Labor Day. That concludes my report."

Councilman Peterinelli, "Derry Construction completed their work which was started on July 27, 2009 and they finished on August 5, 2009. The work involved milling 14 streets and paving and sealing eight streets. Their work was very well done. Also, the Street Department had some streets milled and they will continue to work on them. Completed streets were Gaither Way, Helen Avenue, Park Way, and tomorrow Ludwick Street will be paved. Once again when the sidewalks are completed on Harrison Avenue they will pave that also; Ehalt, Harrison and the parking lot. That's it, Mayor."

Councilman Tridico, “The Greensburg Community Development Corporation (GCDC) has façade grant money available for projects in the downtown area. PennDOT’s Hometown Streets Project has commenced on West Otterman Street, from Main Street and out to Seton Hill on College Avenue. This concludes my report.”

Councilman Finfrock, “Revenues are at 65% of budget. This is 1% lower than revenues in July 2008. One percent lower is not where we want to be but considering the state of the economy, it’s about what we expected. So we’re not really surprised that figure is where it is. Expenses are at 55% of budget and this is 1% higher than last year. I know things are tough, but we do have to keep control of these expenses and make sure that we keep them in line. We only have five months left and we need to hit that budget number.”

*****MAYOR’S REPORT*****

Fire, Code and Police Reports. Mayor Eisaman reviewed the Fire, Code and Police Reports. Copies of these reports may be obtained at the respective offices or the City Administration Office.

*****INTRODUCTION OF BILLS*****

Bill No. 8 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 40, ENTITLED ‘HISTORICAL AND ARCHITECTURAL REVIEW BOARD’ (HARB) OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG.

Bill No. 9 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 265, ENTITLED ‘ZONING’ OF ORDINANCE NO. 1646, THE CODE OF THE CITY OF GREENSBURG, UPDATING WORDS AND DEFINITIONS, AND ADDING TERMS AND STIPULATIONS RELATIVE TO THE ESTABLISHMENT OF A SEPARATELY DEFINED DISTRICT IN THE CITY OF GREENSBURG, THE HISTORIC DISTRICT, AS PER THE NATIONAL PARK DESIGNATION.

Solicitor McCormick, “Since the original ordinance went into effect in January 2007, what we refer to as the HARB has been very, very active throughout the City of Greensburg, especially in the Downtown District. They’ve done a tremendous job along with Barb trying to show leadership in terms of renovation and new construction in the City. And there are lots and lots of examples of that. Some of the input over the last couple of years has brought to the attention, and that’s the reason for this ordinance, that we have three districts under this ordinance. We have a Gateway Overlay District, which are corridors in and out of the City; for instance people familiar with the new Rite Aid and some of the fine things that have been done with that, which probably wouldn’t have been accomplished under old ordinances in the City. There’ve been other examples throughout the City especially in the Downtown District where you’re trying to implement a certain historic flavor to the downtown. What we have found is we need to define better in the ordinance to give the HARB guidance so they can make the proper recommendations to the Planning Commission and City Council. Ultimately, City Council can guide the direction of the entire City, but one of the things that this does is it sets apart the true Historic District in downtown Greensburg, which has already been defined back in 1995, but we’re going to send this Bill as required under the Law down to Harrisburg, and it has to be approved by Harrisburg so that they understand that there are historically significant properties that deserve preservation more so say than you would in the regular Downtown District and more so say than you would in the outlying Gateway District. It’s a reflection that we’ve learned that we could do a better job in guiding the HARB who is going to be recommending to City Council ultimately what the City of Greensburg other than in its residential areas will look like in the future. So the need to do this is a very positive step and it’s based on a lot of feedback not only from people on the HARB and Barb Ciampini, who has worked diligently with them, but also some of the people who have been through the process. Some of the people felt that the original ordinance that was dealing with a Commercial District in the outlying Gateway corridors was a little hard to understand what the distinction there was between the true Historic District and then the rest of the Downtown District. So we’re basically creating three districts. They all will be overseen by the HARB. And, they all ultimately will be subject to the decisions and approvals of City Council. I think it will be clearer for everyone in the future and it will continue the good works that the HARB has been doing in the last two-plus years.”

*****ADOPTION OF BILLS AS ORDINANCES*****

Bill No. 7 as Ordinance No. 1983 – AN ORDINANCE OF THE CITY OF GREENSBURG AMENDING CHAPTER 249 OF ORDINANCE NO. 1647, ENTITLED ‘VEHICLES AND TRAFFIC’ OF THE CODE OF THE CITY OF GREENSBURG. Ms. Trout, “The adoption of Ordinance No. 1983 updates language in the ordinance to correspond with current procedures and operations and deletes paragraphs and schedules that have not been utilized. In addition the schedules of street listings have been reviewed and updated for accuracy. This is what we refer to as ‘cleaning up’ the ordinance, Mayor.” Councilman Peterinelli **MOVED** to adopt Bill No. 7 as Ordinance No. 1983, and Councilman Tridico **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to adopt Bill No. 7 as Ordinance No. 1983.**

*****ENACTMENT OF RESOLUTION*****

Resolution No. 1140 – A RESOLUTION OF THE CITY OF GREENSBURG ASSIGNING A TAX COLLECTION COMMITTEE (TCC) ON BEHALF OF THE CITY OF GREENSBURG APPOINTING VOTING DELEGATES TO SERVE ON THE TCC FOR THE CITY. Ms. Trout, “In accordance with Act 32, §505(B) of the Commonwealth of Pennsylvania, enactment of Resolution No. 1140 appoints the City Treasurer and Tax Collector, Mary Perez, as the Primary Voting Delegate; and the City Administrator, Susan Trout, as the Alternate Voting Delegate representing the City of Greensburg on the newly established TCC.” Councilman DePasquale **MOVED** to enact Resolution No. 1140, and Councilman Finfrock **SECONDED**. No discussion. Roll call vote was taken. **All voted unanimously to enact Resolution No. 1140.**

*****COUNCIL APPROVAL*****

- a. **Acceptance of Resignation of School Crossing Guard.** Ms. Trout, “Council approval accepts the resignation of Cheryl Uhlig from the position of School Crossing Guard effective immediately.” Councilman Finfrock **MOVED** to approve the resignation, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve.** Mayor Eisaman, “Please send a thank you letter for her service.”
- b. **Hiring of School Crossing Guard.** Ms. Trout, “Council approval is for the hiring of Darlene Pack as a School Crossing Guard effective August 12, 2009 at the rate of \$8.14 per hour. The August 12, 2009 date allows her time to attend School Crossing Guard training before the fall 2009 semester starts. The first day of school is August 31st.” Councilman Peterinelli **MOVED** to approve the hiring, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- c. **Hiring of Skating Instructor for Group Lessons.** Ms. Trout, “Council approval is for the hiring of Brooke Leechalk in the contracted position of skating coach at the rate of \$12 per lesson for a maximum of three (3) lessons per week.” Councilman DePasquale **MOVED** to approve the hiring, and Councilman Finfrock **SECONDED**. No discussion. **All voted unanimously to approve the hiring.**
- d. **Hiring of Seasonal Employees for the Kirk S. Nevin Arena for September.** Ms. Trout, “Recommended by the Rink Manager for the 2009/2010 skate season are Christine Watson and Leah Fontana as cashiers; Zack Kubas and Matt Thomas as skate rental employees; and Greg Smith, Mallory Earle and Steven Solochier as Skate Guards at \$7.25 per hour. In addition, Michele Cribbs is recommended to be hired as the Public Session Supervisor at \$8.25 per hour. That’s our latest slate.” Councilman DePasquale **MOVED** to approve the hiring of the seasonal employees, and Councilman Tridico **SECONDED**. No discussion. **All voted unanimously to approve the hiring of the seasonal employees for the Kirk S. Nevin Arena.**
- e. **Agreement between Troutman’s Building Associates (TBA), the City of Greensburg, the Redevelopment Authority of the County of Westmoreland (RACW) and the First Evangelical Lutheran Church of Greensburg.** Ms. Trout, “Council approval authorizes the Mayor to enter into the 4-party agreement

on behalf of the City consenting relocation of the existing electrical service from the building that is being demolished to the upper bridge over the alley that is attached to the Pennsylvania Avenue Troutman's Annex owned by the City of Greensburg; and permitting joint access for all parties to the 6-story stairwell presently owned by the RACW."

Mayor Eisaman, "The Pennsylvania Avenue Troutman's Annex, which is the rear 6-story building, we have transferred that to the RACW currently, too?"

Ms. Ciampini, "Not yet."

Mayor Eisaman, "That's why we're asking for approval for this?"

Ms. Ciampini, "Correct."

Councilman Peterinelli **MOVED** to approve the agreement, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to approve the agreement.**

- f. Extension of Agreement between the City of Greensburg and Guardian Construction d/b/a Downtown Commons, LLC.** Ms. Trout, "Council approval extends the current agreement from August 15, 2009 for an additional 45 days to September 30, 2009."

Mayor Eisaman, "Barb, we feel comfortable that this 45-day extension will satisfy the needs of the County?"

Ms. Ciampini, "Yes."

Councilman Tridico **MOVED** to approve the extension, and Councilman DePasquale **SECONDED**. No further discussion. **All voted unanimously to approve the extension.**

- g. Base Agreement between the City of Greensburg and Hess Corporation.** Ms. Trout, "Council approval updates the terms and conditions of the base agreement throughout the term of the agreement we have in place with the Hess Corporation for our purchase of natural gas. Updates include revised legal language on late payment terms, confidentiality, imaged documents and adds new language relative to prior transactions, the nature of our relationship, headings and counterparts."
- Ms. Perez, "They revised some language. Our base agreement has not been updated the entire time we've had a relationship with Hess. Over time they revise things and just required us, as part of the next agreement that we'll be asking your approval for, that this be in place first."

Councilman Peterinelli **MOVED** to approve the agreement, and Councilman Finfrock **SECONDED**. No further discussion. **All voted unanimously to approve the agreement.**

- h. Natural Gas Agreement between the City of Greensburg and Hess Corporation for the Purchase of Natural Gas.** Ms. Trout, "Council approval accepts a one-year agreement effective September 1, 2009 through August 31, 2010 at 0.925 cents per decatherm representing transportation costs from the Nymex trading point to the Dominion Peoples city gate. The City reserves the right to convert to a fixed commodity price at any time during the life of the contract and specifies Mary Perez, the Fiscal Director, as the responsible contact person for this purpose."

Councilman Finfrock **MOVED** to approve the agreement, and Councilman DePasquale **SECONDED**. No discussion. **All voted unanimously to approve.**

- i. Mt. Odin Golf Course Fall Special.** Ms. Trout, "Council approval authorizes the Mt. Odin Golf Course to run a fall special beginning September 1, 2009 and continuing through October 31st at \$22 per person for 18 holes of golf and a cart on Monday through Thursday before 2:00 p.m."

Councilman DePasquale **MOVED** to approve the fall special, and Councilman Peterinelli **SECONDED**. No discussion. **All voted unanimously to approve.**

*****ADJOURNMENT***** Councilman DePasquale **MOVED** to adjourn the meeting. **SECONDED:** Councilman Peterinelli. Unanimously all voted in favor to **adjourn.**

RESPECTFULLY SUBMITTED:

