

**CITY OF DUQUESNE  
TUESDAY, FEBRUARY 25, 2020  
CITY COUNCIL MINUTES**

**6:32 pm** Meeting was called to order by Councilman Tim Caldwell  
There was a moment of Silence followed by the Pledge of Allegiance and  
Opening Prayer

**Present:** Richard Scott Adams, Rev. Timothy Caldwell, Terra Henderson-Murphy,  
Elaine Washington,

**Others Present:** City Manager, Douglas Sample, City Solicitor, Myron Sainovich, Police Chief,  
Thomas Dunlevy, Adam Prince of Glenn Engineering, Executive Assistant,  
Marian (Mimi) Marko-Eberle

**Absent:** Act 47 Coordinator, George Dougherty, Fire Chief, Frank Cobb,  
Engineer, Dave Gilliland, Citizen Review Board, Debra Chaffin

**PUBLIC COMMENTS ON AGENDA ITEMS**

An audience member approached the microphone to ask the members of Council to speak into  
their microphone so the audience can hear.

**\*\*Ms. Dana Heaps** approached the microphone to voice her concerns about the two (2)  
following issues:

1. The house next to her property is literally falling over onto her house.
2. The lack of functional playgrounds in the City of Duquesne.

**\*\*Ms. Heaps** expressed her sincere concern regarding the house next to her property,  
125 S 1<sup>st</sup> St, is literally falling over onto her property. Ms. Heaps pointed out her gutters have  
been damaged. Ms. Heaps states that the roof is gone, however, the chimney is still intact and  
she is very concern the chimney will collapse and injured one of her family members. Ms.  
Heaps expressed that she has spoken to numerous people within the City and to date has gotten  
no resolution. Ms. Heaps repeated several times the condition of the property, next to her  
property, falling in is a real disgrace. Ms. Heaps reinforces that something has to be done and  
done sooner than later.

Ms. Heaps also mentioned there is a real trash and big items problem around the same area.  
There is enough trash that is being dumped one cannot even drive down the street.

**\*\*Ms. Heaps** then went on to address that there is nowhere for the kids to play or to meet. Ms.  
Heaps states that she takes her son and five (5) other kids out of the City of Duquesne to be able  
to play basketball. Ms. Heaps asks “what is being done for these kids in order for these kids to  
be able to stay in their own neighborhood to do anything on a social basis?” Ms. Heaps also  
refers to the poor conditions of other so called parks in the City as well as the flooding of certain  
areas that prohibit the kids to be able to play.

**\*\*Councilman Caldwell** spoke up to say that he has information in his report this evening that  
can address at least one of her concerns.

## **CONSENT AGENDA**

1. Approval of Minutes –
2. Bill List – February 25, 2020

**I move to approve the February 25, 2020 Consent Agenda.**

**First:** Councilman Adams **Second:** Councilman Caldwell **Motion carried: 4-0**

## **PUBLIC SAFETY – NOT PRESENT – NO REPORT**

- a. Unbiased and Equal Treatment of all Persons whether Documented or Undocumented
- b.

**MOTION: I move to adopt Ordinance 2020-01 implementing a policy for the unbiased and equal treatment of all persons whether documented or undocumented.**

\*\*Councilman Caldwell stated he had a problem to adopt the Ordinance 2020-01 because the officers are not able to arrest when warrants for a person are active to allow someone to continue to walk on the streets and have an active warrant is not viable. Councilman Caldwell thinks the Ordinance 2020-01 should be rewritten to be more equal.

\*\*Councilman Adams spoke and referenced Ms. Laura Perkins who represents the Latino Resource & Welcome Center, presentation at the last meeting at which Chief Dunlevy then spoke up giving an example of the gist of her presentation:

“If three individuals are riding in a car, stopped for a violation and are of three different ethnic backgrounds (African American, Caucasian, and an Illegal Immigrant). The officer runs the license plate to see that all three are wanted. The officer arrests the African American and the Caucasian, but he is not to arrest the illegal immigrant. The officer cannot pick and choose who to or who not to arrest.” Chief Dunlevy states how this is fair.” Chief Dunlevy concludes by saying the treatment has to be equal for everyone. At that point, Councilman Adams suggested to do more research before the Board Members vote to adopt Ordinance 2020-01.

**\*\*There was not Motion for the above to adopt Ordinance 2020-01 implementing a policy for the unbiased and equal treatment of all persons whether documented or undocumented.**

**MOTION: I make a motion to authorize the Civil Service Commission to prepare a new hiring list for Police Officers.**

**First:** Councilman Caldwell **Second:** Councilperson Washington  
**MOTION carried: 3-0-1**

## **PUBLIC WORKS**

**\*\*Councilperson Washington reports that trash is being picked up.**

**\*\*Councilperson Washington reports the area located around Rt. 837 to be cleaned up weather permitting.**

**\*\*Councilperson Washington then reported the Duquesne Women's Club has agreed to provide flowers for around the community and that the Boys and Girls Club are will to plant the flowers in the Spring of 2020.**

## **WATER DEPARTMENT**

**\*\*Councilman Adams report is as follows:**

**\*\*January 29, 2020/Workers repaired a water line break on Meadow Street.**

**\*\*January 31, 2020/Creative enterprise and Nevaeh Pipe Bursting have been contacted to provide estimates to repair water leak in the Savey/Catharine/Auriles Street areas. Both companies have done past work within the City of Duquesne. Nevaeh has submitted a bid and the City Manager in in the process of contacting Creative to see if they are going to bid.**

**\*\*February 4, 2020/I, Councilman Adams, contacted Mr. Paul Balest (MAWC) concerning cleaning the Pump Station Screen. The cleanup was completed on February 7, 2020.**

**\*\*The project on Meadow Street is progressing and should be finished soon.**

**\*\*Since the last Council meeting, \$34, 649.07 has been collected from delinquent accounts. There has been 11 new account which have been created along with 20 shut offs which occurred during the same time period.**

**\*\*Councilperson Henderson-Murphy's stated her interruption was that the police cannot go to the home to arrest illegal immigrants.**

**\*\*There are seven hydrants not in service:**

1416 Highland  
S 4<sup>th</sup> & Pricilla  
Fifth St & W Grant Avenue  
Wool & Mehaffey  
Auriles & Priscilla  
Camp Avenue  
Peter Street & Kennedy Avenue

**I move to approve the agreement between PA American Water and City of Duquesne to provide water shut off services for PA American Water for the collection of delinquent wastewater charges.**

\*\*Councilman Adams referenced the agreement above as meaning if a resident does not pay his/her water bill there will be a shut off charge added to the bill.

**First:** Councilman Adams **Second:** Councilman Caldwell **MOTION carried 4-0**

**I move to approve the agreement between PA American Water and City of Duquesne to provide water consumption readings to PA American Water for the collection of wastewater charges.**

Councilman Adams summarized this motion as providing them with water consumption readings and shut-off services for non-payment of sewer charges that Council will need to discuss in Executive Session. These agreements have been negotiated over the past two years. The following summarizes the key points in each agreement:

- Water Consumption Readings
  - PA American will immediately pay the City \$13,000 for 26 months of past data collection
  - PA American will then pay the City \$0.135 per each active account (approximately \$250.00 a month. The City originally asked for \$500.00 month; however, the \$.135 rate is the highest reimbursement rate that PA American Water can go. Only Westmoreland Water Authority receives this high of a reimbursement rate.
- Shut-off Services
  - PA American will pay the City \$50.00 for each shutoff (minimum of 20 week)
  - PA American will pay the City \$50.00 for each turn-on
  - PA American can only charge the resident a maximum of \$30 for the shutoff and turn-on (PA American is losing \$70 for each turnoff/turn-on)
  - PA American handles all notifications
    - Letter is sent 10 days prior to shutoff
    - Resident is notified by telephone or property is posted 3 days before shutoff
  - PA American offers payment plans for residents

The City is in desperate need of revenues and this is a fair agreement. Therefore, I am recommending that the Council approve these agreements at the February 25, 2020 meeting.

Temporary use of potable water from the City's water distribution system by means of a temporary water tap, a temporary service line, a fire hydrant, or other devices shall require a permit from the City, subject to availability.

The City will require a minimum of five (5) working days advance notice prior to the issuance of any temporary water use permit.

You will be required to do the following: 1) open up a temporary account at a cost of \$50.00, 2) pay a \$50.00 turn-on fee, and 3) submit \$200.00 deposit, which will be used to pay for the water used. Any monies left over will be refunded at the expiration of the permit

The permit maybe extended for an additional thirty (30) days and may require an additional \$200.00 deposit. This will be at the City's sole discretion.

The Temporary Water Service Application can be found in the Water Department on the first (1<sup>st</sup>) floor of the City Hall Building.

**I make a motion to approve the policy of issuing Temporary Water Permits.**

**First:** Councilman Adams **Second:** Councilperson Washington

**MOTION carried 4-0**

\*\*The Water Department is proposing adding a \$10.00 processing fee to the delinquent water invoices. On average we send out between 350 to 500 delinquent bills a month and approximately 80% percent of these accounts are consistently in the rears. The result of addition an additional fee would be to incentivize residents to pay their water bills on time.

**First:** Councilman Adams **Second:** Councilperson: Washington **MOTION carried 3-1**

**I make a motion to adopt Resolution 20-06 amending Resolution 19-17 to add a charge for Temporary Water Permits and a fee for Water Termination notices.**

**First:** Councilman Adams **Second:** Councilperson Henderson-Murphy

**MOTION carried 4-0**

## **COMMUNITY AND ECONOMIC DEVELOPMENT**

\*\*Councilman Caldwell reported that he is working with the City's Engineer to complete an 85% amount grant application that will goes toward playground renovation. The deadline for this grant application is May 31, 2020, so they are delinquently working to make sure the application is thorough, completed, and submitted in a timely manner. Councilman Caldwell expressed his concerns how important playgrounds are for the kids of Duquesne and hopes to address other playgrounds in the neighborhood as well.

**I move to adopt Ordinance 2020-02 requiring owners to abate derelict conditions on their property.**

\*\*Controller Strahl presented the question if there is any fee if the property owner fails to keep his/her property clean.

\*\*Solicitor Sainovich interjected that there is an Ordinance provision to comply on fines.

**First:** Councilman Caldwell **Second:** Councilperson Henderson-Murphy

**MOTION carried 4-0**

**I move to adopt Ordinance 2020-03 adopting the 2018 International Property Maintenance Code.**

**First:** Councilman Caldwell **Second:** Councilman Adams **MOTION carried 4-0**

**I make a motion to grant conditional approval of S-20-2 with final approval to be granted upon applicant addressing any possible issues and/or comments of the Allegheny County Department of Economic Development's (ACED) review letter.**

\*\*The above referenced project was reviewed by Glenn Engineering for compliance with the City of Duquesne Subdivision and Land Development Ordinance No. 3 of 2017.

The intent of this plan is a resubdivision of Parcel "C" in the Regional Trail and Union Railroad Plan 1<sup>st</sup> revision and a resubdivision of Parcel 1 and Parcel B-R in the Kenneywood Park consolidation plan.

Documents submitted to our office were as follows:

**SUBDIVISION**

(2) Sets of Subdivision Plans (Full Size Plan Sheets 1 of 3, sheet 2 of 3, and sheet 3 of 3) dated July 1, 2019.

**CONCLUSION**

The plan as presented appears to be in compliance with all applicable ordinances, and we are recommending approval of this Consolidation plan.

**First:** Councilman Caldwell **Second:** Councilperson Washington  
**MOTION carried 4-0**

**ACCOUNTS AND FINANCE**

\*\*Councilperson Henderson-Murphy stated that the protocols for the credit cards are still being worked on by Doug (Mr. Sample-City Manager) and by Mimi (Ms. Marko-Eberle-Executive Assistant)

**I move to adopt Ordinance 2020-04 amending Ordinance 2019-08 which establishes the real estate millage rate for property for the year 2020.**

\*\*Ms. Strahl wanted to clarify that this is in reference to Real Estate Income and NOT mileage. Per Mr. Sample, "yes."

\*\*Councilman Adams asked for an explanation on two invoice amounts in the amounts of \$1,375.00 and \$35,666.67 that appeared on the Check Journal.

Mr. Sample responded to say the \$1,375.00 amount was to Cafardi Ferguson Wyrick Weis & Strotler for Legal Services for School District/Comensky & a miscellaneous fee for reviewing the Uniform Arbitration Act handled by Attorney John Rushford.

Mr. Sample went on to explain the \$35,666.67 expense represented the monthly County Hauling contract with the City of Duquesne for garbage pickup.

\*\*Mr. Sample was sure to mention that there is NO increase in the property taxes

**TREASURER**

1. Report from David J. Bires

**CONTROLLER**

1. Report from Maureen Strahl – **NO REPORT**

**SOLICITOR**

1. Report from Solicitor Myron Sainovich

**CITY MANAGER**

\*\*Mr. Sample announced an intern from the Local Government Academy who will be working this summer with him to primarily work on the City's website.

**I move to award the Fire Hall Door Project to Playchak Construction in the amount of \$128,600.00 per the recommendation of Glenn Engineering.**

\*\*Councilperson Henderson-Murphy asked if the company could be researched to assure a quality reputation.

**First:** Councilperson Washington **Second:** Councilman Caldwell  
**MOTION carried 4-0**

**POLICE DEPARTMENT**

Chief Dunlevy reported the following:

**677 calls**

**45 arrests**

**7 reportable crashes**

**79 traffic tickets**

**58 traffic warnings**

**ACT 47 COORDINATOR – NOT PRESENT – NO REPORT**

Solicitor Sainovich spoke up to say he spoke to Mr. Dougherty, earlier in the day, who complimented the City Manager by saying "The City of Duquesne is under efficient management, so I don't need to attend this evening!"

**FIRE DEPARTMENT – NOT PRESENT – NO REPORT**

**POLICE CITIZEN’S REVIEW BOARD – NOT PRESENT – NO REPORT**

**7:03 pm**

**Executive Session**

**7:25 pm Executive Session concluded**

**\*\*Mr. Sample asked if there were any other public comments.**

**\*\*At this time, an unknown audience member approached the microphone inquiring about the status of a City of Duquesne employee who was fired and was to be rehired. Solicitor Sainovich responded to the audience member that there is a hearing set up for either Tuesday, March 3, 2020 or Wednesday, March 4, 2020.**

**7:26 pm**

**I make a motion to adjourn this meeting.**

**First: Councilman Caldwell Second: Councilman Adams MOTION carried 4-0**

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**Nicole Nesby**

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**Marian (Mimi) Marko-Eberle**