

## City Council Meeting Minutes – March 22, 2021

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, March 22, 2021 @ 7:08 p.m.; Council convened at their regular City Council Meeting with Mayor Walsh in the Chair. Other Council Members present were: Diane Bernardo, James Aughenbaugh, Shane Dietz, Shannon Gabriel; and City Controller, David Volpe. Also present were: City Manager, John "Herm" Suplizio; City Solicitor, Toni Cherry; City Engineer/Public Works Director, Chris Nasuti; Redevelopment Authority Director/Assistant Public Works Superintendent, Joe Mitchell; Police Chief, Blaine Clark (accompanied by grandson Tanner; K-9 Officer, Zayne Rhed; K-9, Ace; and Administrative Secretary, Bobbie Shaffer.

The meeting was called to order at 7:08 p.m. and the Pledge of Allegiance was led by Mayor Walsh.

A Public Hearing was held prior to the meeting at 6:50 p.m. concerning Council Bill No. 1960 – House/Building Numbers.

### Approval of Minutes

#### City Council Meeting Minutes of March 8, 2021

The motion was made by Aughenbaugh and seconded by Dietz that Council approve the City Council Meeting Minutes of March 8, 2021 as presented by the Administrative Secretary. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, yea; Walsh, yea. Motion passed 5-0.

#### Work Session Meeting Minutes – March 18 2021

The motion was made by Dietz and seconded by Gabriel that Council approve the Work Session Meeting Minutes of March 18, 2021 as presented by the Administrative Secretary. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, abstain due to absence; Walsh, yea. Motion passed 4-0.

### Approval of Registry of Invoices

The motion was made by Gabriel and seconded by Aughenbaugh that Council approve the Purchase Order Listing by Vendor Name dated March 18, 2021 in the amount of \$250,544.74; and the Autodraft Check Register by Check ID dated March 18, 2021 in the amount of \$33,420.48 as presented by the Finance Officer. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, yea; Walsh, yea. Motion passed 5-0.

**Public Comments:** None

### K-9 Unit

K-9 Officer Rhed gave a report on what K-9 Ace has been up to in the past year. The numbers are as follows: (As Rhed was reporting on all of Ace's hard work, Ace was on the floor at the Chief's feet asking for well-deserved belly rubs.)

- 37 – Deployments (which Rhed feels this number would double if you counted the amount of times a suspect gave up because of the dog) of the 37 deployments 30 were Drug Related of which 20 resulted in arrests with conviction.
- 2 – Deployments for tracking. (One was an armed robbery at Snappy's the other was a warrant.)
- 2 – Deployments for Sandy Township for vehicle searches.
- 3 – Deployments for firearm seizures.
- 2-3 Deployments for article searches (locating an item such as a weapon)

This past year, they have received 16 Calls on their Off Shift.

Rhed stated that he and Ace are required to train for 16 hrs. monthly; they current train approximately 26 hrs. per month.

Ace's reliability rating is currently 96.4% which is very important for search warrants. In the state of Pennsylvania, the reliability rate only needs to be 54% and above.

Rhed stated he has been to many training sessions with other handlers and Ace has showed well at all events. Ace is building a reputation of being very good at searches. The only dog that may possibly be better than Ace at searches is the dog from St. Mary's, but he's older and been at it longer; he's also been with his handler for years.

K-9 Officer Rhed is very pleased with Ace. Chief Clark is also very pleased with both Ace and Rhed. He feels, as a team they are a great resource and asset to the City.

### Downtown Wash-down

The Fire Department will be doing their annual downtown wash-down on Sunday, April 25<sup>th</sup>.



## City Council Meeting Minutes – March 22, 2021 (Cont'd.)

### Downtown DuBois, Inc. – Linda Crandall & Eddie Tate

They brought several items before Council:

- 17<sup>th</sup> Annual Spring Clean – Up will be Saturday, April 24, 2021 – they requested help with the trash and a message be put on the sign in the park.
- Spring Fest – May 1<sup>st</sup> will be similar to the Oktoberfest, they wish to close W. Long Avenue from High ST to Brady ST.
- Food Trucks – Mondays in the Pershing Lot and during the Farmer's Market on W. Long Avenue – City Manager Suplizio reminded Ms. Crandall about the problem they had during the 2020 Oktoberfest with electricity and Food Trucks. City Manager Suplizio went on to say that Ms. Crandall will need to work with Code Enforcement/Zoning Officer Lawhead on the Food Trucks. There is just not enough power on W. Long Avenue for Food Trucks; they must be self-sufficient. Crandall asked about the Pershing Lot could they have at least one truck that could use power in that lot. Once again Suplizio stated that they should be self-sufficient; Crandall said she would request that they supply their own power. Councilwoman Gabriel asked Crandall if the Food Trucks would only be there during the Farmer's Market. Crandall wasn't sure, she felt they would stay longer because they wouldn't want to set up for just three hours. Gabriel had concerns on them being there past 2 p.m. as things get pretty congested toward evening.
- Farmer's Market – June 26 - October 9; 8 – 11 a.m. – Request of use of the Pershing Lot.
- Grapes 'n Hops Walk – Crandall stated that the date has been changed to September 11<sup>th</sup> as there was a conflict in scheduling.

### Second & Final Reading of Council Bill No. 1960, As Amended – House/Building Numbers

An Ordinance of the City of DuBois amending Chapter 149 of the Code of Ordinances establishing the requirement that buildings within the City of DuBois be numbered and amending the requirements for such numbering of buildings and structures within the City of DuBois and amending the minimum and maximum penalties for violation of the provisions of Chapter 149 was presented for second and final reading by City Solicitor Cherry. The motion was made by Aughenbaugh and seconded by Dietz that Council accept the second and final reading of Council Bill No. 1960, As Amended and it become Ordinance No. 1861 in the Code of Ordinances for the City of DuBois. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, yea; Walsh, yea. Motion passed 5-0.

### First Reading of Council Bill No. 1961 – Codification Revision Ordinance

An Ordinance to adopt substantive revisions to the Codification of Ordinances of the City of DuBois, Pennsylvania was presented for first reading and read in its entirety by City Solicitor Cherry. The motion was made by Gabriel and seconded by Dietz that Council approve the first reading of Council Bill No. 1961 as presented. Mayor Walsh had a question on the motion, he asked if it had to be advertised and if we need a public hearing. City Solicitor Cherry stated it does need advertised, but we do not need to have a public hearing. A complete copy of the ordinance will be on the front counter for residents to look at if they have a question. The City Secretary stated that we would be advertising the Ordinance within the next 15 days and second and final reading will not be presented to Council until 30 days from this evening. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, yea; Walsh, yea. Motion passed 5-0.

### Sale Agreement for Sewer Plant w/Railroad and VFW

City Manager Suplizio stated that once these sales are completed we can start building the bridge at the Sewage Treatment Plant. The Land purchases will be for an access road to the plant and the plant itself. The plant will set on an approximate three-acre lot.

The City Manager talked about the sales agreement with the VFW. He stated it was pretty simple, we are purchasing the property for \$3,300 for approximately 0.317 acres of land. The motion was made by Gabriel and seconded by Aughenbaugh that Council approve the Sales Agreement with the VFW for 0.317 acres of land for \$3,300. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, yea; Walsh, yea. Motion passed 5-0.

Concerning the railroad purchase, City Solicitor Cherry stated that she has reviewed the agreements and discussed them with our City Manager and City Engineer. She feels that the railroad is lucky that we are offering to purchase the property, as we could condemn it and take it be eminent domain. Councilwoman Bernardo asked if taking it by eminent domain would be better. City Solicitor Cherry stated she would not make that call; although, we have done it before. It's totally up to Council.

Councilman Aughenbaugh asked for the details of the contract with the railroad. City Engineer Nasuti stated \$15,000 per acre for 6.3 acres of land with a 50' railroad right of way so they can get to the remainder of their property. Aughenbaugh asked if he thought that was a fair price. Nasuti said he talked to a few real estate agents and they felt that was a good price.



## City Council Meeting Minutes – March 22, 2021 (Cont'd.)

### Sale Agreement for Sewer Plant w/Railroad and VFW (Cont'd.)

City Manager Suplizio thanked Engineer Nasuti for dealing with the railroad. Apparently the headquarters for the railroad is now centered out of Jacksonville, Florida and with COVID you just can't set down with them across a table.

The motion was made by Dietz and seconded by Gabriel that Council approve the purchase of 6.3 acres for \$15,000 and a 50' railroad right of way as recommended by our City Engineer. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, yea; Walsh, yea. Motion passed 5-0.

### Vacant Property Ordinance Update

City Manager Suplizio stated he talked to Code Enforcement/Zoning Officer Lawhead and he wondered where we were on the Vacant Property Ordinance.

Solicitor Cherry stated that what Lawhead presented her with was a sample Ordinance from Altoona. She said for the most part the ordinance is fine but she has a few concerns. Her main concern is the large fees they are charging for vacant properties. If the property is vacant and not being maintained or taxes aren't being paid that's fine, they should be charged. Her problem with the ordinance is as a landowner with several vacant family properties, that are kept and maintained until someone from the family can purchase, has to pay the same fees as a blighted vacant property owner. She feels it almost feels like overreaching by the municipality.

Mayor Walsh asked if she wanted the Ordinance turned over to the Planning Commission for them to rework.

Councilwoman Gabriel agreed with the City Solicitor, that as long as the property is maintained and the taxes paid there should not be a fee.

Mayor Walsh agreed and suggested that Cherry remove the monetary amount for properties that are maintained and taxes are paid.

City Solicitor Cherry suggested that the property be registered, but it must be maintained up to our Code compliance, that the owner submit proof of insurance, and all taxes must be paid to not receive a fee. She doesn't believe that someone who pays insurance on a home will let it deteriorate.

Councilman Aughenbaugh agreed and stated that registration was the goal for this Ordinance.

The motion was made by Gabriel and seconded by Aughenbaugh that Council direct City Solicitor Cherry to remove the monetary amount for properties that are maintained, taxes are paid and can produce a certificate of insurance. Roll call vote was as follows: Aughenbaugh, yea; Dietz, yea; Gabriel, yea; Bernardo, yea; Walsh, yea. Motion passed 5-0.

### Councilwoman Shannon Gabriel

She would like the Downtown DuBois to have a time frame for the Food Trucks at the Farmer's Market. She suggested 2 p.m. City Solicitor Cherry suggested they move it to the City Park where there is lots of parking. Someone stated as it is the Downtown DuBois they want to keep it downtown. Councilman Aughenbaugh stated you would hard press to find a parking space in the park on a weekend during ball season. Councilwoman Bernardo suggested we invite the Downtown DuBois Group back to a Work Session to hash it out.

### Councilman Shane Dietz

He said it was good to see Ace, sounds like he's a good deterrent. He's also glad to see things picking up in the park.

### Councilwoman Diane Bernardo

Asked about Chief Clarks helper – it was Tanner his grandson. Tanner is a wrestler.

### Councilman Jim Aughenbaugh

Feels Ace fits in very well and that he and Zayne do a good job.

### Mayor Edward Walsh

Asked if Rhed and Ace get very many call outs beside Sandy Township. Chief Clark stated that the State Police have called when they were in pursuit.

### City Manager, John "Herm" Suplizio

- Consolidation Hearing –

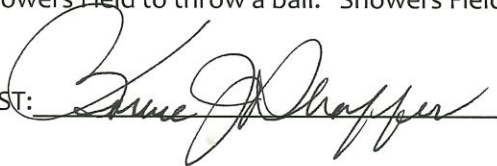
**City Council Meeting Minutes – March 22, 2021 (Cont'd.)****City Manager, John “Herm” Suplizio (Cont'd.)**

- Consolidation Hearing – (Cont'd.)  
Asked the press to please put a blurb in about emailing us to let us know the public's thoughts on consolidation. Call up a Council person to discuss it. We would like to see where we stand. We would like to hear your comments.
- Advanced Disposal - The garbage men can't tell what is garbage and what is not when it's dark. If it's not your bin they are not going to take it. Councilwoman Gabriel said they left a note. City Manager Suplizio stated that is what they are supposed to do.
- City Park – Has been going crazy; it's nice to see the people out again.
- Councilman Jim Aughenbaugh asked if the walkway is going to be completed to Beaver Drive. Engineer Nasuti said once we have the funds to complete it.
- Water Bill Flyer concerning House/Building Numbers – Summer help will help with that.
- Nice to hear from Residents – Thanked the ladies from Patterson for coming.
- Letters went out to the downtown businesses concerning 12” numbers on their buildings.
- Major League Baseball – They will be doing a segment called “Baseball Still Alive in America”; Showers Field will be one of the fields shown. They are hoping to run opening day.

**Mayor Edward Walsh**

He read an article about the coach of the Cleveland Indians meeting his father every year on Father's Day @ Showers Field to throw a ball. Showers Field is half way between each of their homes. Pretty cool!

ATTEST:



APPROVED:

