

MINUTES OF COUNCIL MEETING
March 13, 2018

The Regular Meeting of City Council was called to order at 7:30 p.m. with Mayor Barilla presiding. The meeting was opened with a prayer followed by the Pledge of Allegiance.

Present were Councilmen Paul, Petrella, Timmons, Villamagna, DiLoreto, & Dressel

Mr. Villamagna moved that Mrs. Hahn be excused from the meeting. Second by Mr. Paul. Roll call. All ayes. So moved declared Mayor Barilla.

Also present; City Manager Jim Mavromatis, Law Director Costa Mastros, Police Chief Bill McCafferty, Assistant Fire Chief Frank DeLeonardis, Parks and Recreation Director Lori Fetherolf, Finance Director Dave Lewis, Paul Giannamore from the Herald Star, & WTOV9.

APPROVAL/CORRECTION OF MINUTES

Minutes were approved by Mrs. Paul for March 6, 2018. Second by Mr. Timmons. Roll Call. All ayes. So moved minutes accepted declared Mayor Barilla.

Mr. Paul made a motion to go into executive session immediately to consider the discipline in the Police Department and also discuss the Fire Union contract and move into the Pugliese Conference Room. Seconded by Mr. DiLoreto. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Council moved to the Pugliese Conference Room for Executive Session.
Council Chambers were reopened for regular meeting.

PETITIONS/COMMUNICATIONS

Mayor Barilla – “Petitions and Communications Madame Clerk?”

Mrs. McGinnis – “Nothing this evening.”

ORDINANCES AND RESOLUTIONS

NO. 2018-17 – BY THE FINANCE COMMITTEE

Messrs. Paul, Dressel, Timmons

AN ORDINANCE AMENDING SECTIONS 145.02(a), 145.02(l), 145.07, and 145.09(c) OF THE CODIFIED ORDINANCES OF THE CITY OF STEUBENVILLE AND DECLARING AN EMERGENCY.

Mayor Barilla – “You have heard the reading of Ordinance No. 2018-17. If there is anyone wishing to speak on Ordinance No. 2018-17 please come forward and state your name and address.” Mr. Paul called question. Roll Call. All ayes. Ordinance No. 2018-17 duly adopted declared Mayor Barilla.

NO. 2018-18 – BY THE PLANNING COMMITTEE – 1st reading

Messrs. Villamagna, Hahn, Petrella

AN ORDINANCE VACATING A PORTION OF CANARY STREET.

Mayor Barilla – “You have heard the first reading of Ordinance No. 2018-18. The second reading will be on March 20th. The third and final reading will be on March 27th. If adopted by city council it’ll be the effective date of April 27th.”

NO. 2018-19 – BY THE FINANCE COMMITTEE

Messrs. Paul, Dressel, Timmons

AN ORDINANCE RATIFYING THE PREVIOUS COLLEGE EDUCATION PAY BENEFITS PROVIDED TO THE FIRE CHIEF AND DECLARING AN EMERGENCY.

Mayor Barilla – “You have heard the reading of Ordinance No. 2018-19. If there is anyone wishing to speak on Ordinance No. 2018-19 please come forward and state your name and address.” Mr. Paul called question. Roll Call. All ayes. Ordinance No. 2018-19 duly adopted declared Mayor Barilla.

NO. 2018-20 – BY THE FINANCE COMMITTEE

Messrs. Paul, Dressel, Timmons

AN ORDINANCE RATIFYING THE PREVIOUS COLLEGE EDUCATION PAY BENEFITS PROVIDED TO THE POLICE CHIEF AND DECLARING AN EMERGENCY.

Mayor Barilla – “You have heard the reading of Ordinance No. 2018-20. If there is anyone wishing to speak on Ordinance No. 2018-20 please come forward and state your name and address.” Mr. Paul called question. Roll Call. All ayes. Ordinance No. 2018-20 duly adopted declared Mayor Barilla.

REPORT OF COMMITTEES

Mr. Paul – “Yes your Honor I have two. I just want to remind everybody next week at 5:30 we will have the EPA in and they will discuss our water woes and also they’ll discuss the distribution and also the sewage plant and the decent decree that we are under with the sewage. Mr. Mavromatis can you call them and verify they’re going to be here.”

Mr. Mavromatis – “Yes I will do that.”

Mr. Paul – “I think you already did but I just make sure they’re...”

Mr. Mavromatis – “Chuck did but I will have him verify.”

Mr. Paul – “Okay thank you. That will be 5:30 next week which is the 20th and then on the 27th I would like to call a Safety Committee Meeting at 6:30 and it will be to discuss promotion test within the Police and Fire correct?”

Mr. Petrella – “Correct.”

Mr. Paul – “Okay and if you want Mr. Petrella get with me and I’ll get an agenda put together and if it’s 2 or 3 items we’ll discuss it that way we get something you’re open to discuss; I want to move forward with those 2 departments. Is that good?”

Mr. Villamagna – “Yeah I’m good.”

Mr. Paul – “Okay that will be on the 27th at 6:30 okay? Other than that I’m done your Honor.”

Mr. Petrella – No report

Mr. Timmons – No report

Mr. Villamagna – “Yes Mayor under Planning; I wanted to introduce an ordinance tonight for the bulk pick-up on Friday; before I make my comment about the ordinance I want to read a couple things here. The reason why the ordinance came about was because of several things that have failed to happen here and I’m going to read a letter here first. This is to Jim Mavromatis from Mr. Baird the superintendent of streets; on Tuesday March 6, 2018 City Council proposed an ordinance that would codify a bi-annual special collections for bulk refuse. As legislators, City Council certainly is free to pass any legislation it may choose. I submit the following for your review should Council choose to proceed in creating an ordinance. 1. Codifying city services down to the operational level is unusual and extraordinary, is ultimately unnecessary in this circumstance, blurs and erodes the line of division and authority between the legislative and administrative, and places further constraint on what are already limited resources. Now I’m going to answer that one first; 951.07 the whole collection practice is already under ordinances so we’re doing what we’re in our legal pounds to do. 2. As proposed, the ordinance would increase the numbers of weeks that double-route collections would occur from approximately 13 weeks to approximately 25 weeks each year. This is likely to have budget implications. Well we had; I’ve been meeting about this for about 4 years and it’s been going on for more than 4 years to talk about the 4 day garbage collection; it was promised by the City that we would get the garbage packers, the new trash cans, and we were going to the 4 day garbage collection once we got this all in place; that’s what was promised to us by Mr. Baird, Tim Boland, and Mr. Mavromatis that we were going to go to a 4 day work week; 4 day garbage collection. 3. As proposed, in codifying a specific day, the ordinance would take away operational flexibility and may create operational and scheduling conflicts we can’t overcome or address without interrupting other city services. For example, as proposed, the fall collection creates conflicts the week of the Columbus Day Holiday. With no collection occurring on Monday, a double route is required on Friday. The ordinance would require a bulk collection also occur on Friday. We are simply not able to conduct a double route and a bulk collection on the same day. Well we already stated that if there’s a holiday involved; this wasn’t cut in stone it could be changed to another Friday so that’s the answer to 3. 4. The human component must be considered. When faced with an additional 12 weeks of double-route collections followed immediately by a bulk collection the next day, combined with the loss of scheduled and planned overtime many have come to rely on, I would anticipate an increase in absenteeism on or around these “heavy” days. Should this occur, it may create budget implications and impact our ability to meet the requirements of the ordinance and provide other city services. Now for a manager to send that to the City Manager is unbelievable because the City guarantees a 40 hour work week; we don’t guarantee overtime; overtime is something that’s incurred but we guarantee; and for him to tell us that absentee might play into this because these guys are going to lay down; first off that’s not what I think they’re going to do number 1 and number 2 he’s the management he ain’t part of the union he’s part of the management and he gets paid a good salary to sit down there in his office; so absenteeism should be addressed by the City Manager and by Mr. Baird. 5. There is a possibility that the ordinance would be challenged by the AFSCME union under Article 20 of the CBA given the long history and established practice of bulk collections in the city. We sat in a meeting with Mr. Esposito and Mr. Baird when we asked Mr. Esposito if having anything in that contract would affect our 4 day garbage collection and everybody in that room said no so now it’s a conflict. 6. The other human component aside from employees is the residents. Historically, schedule changes creating double-route collections move the resident’s collection day back one day later than usual. Even if the resident is not aware of the schedule change and puts garbage out on the regular day, we are there the next day to collect it. On the rare occasion s schedule changes have required a resident’s collection day to be moved up one day sooner than usual, we have received many calls and complaints of “missed garbage” due to residents not being aware of the schedule change. This requires “backtracking” the previous day’s route and collecting the current day’s route on the same day in order to provide the weekly service to which the resident is entitled by ordinance and not have garbage sitting for a week. The proposed ordinance would create 12 weeks of “one day sooner than usual” schedule changes moving collection day up. This would likely lead to numerous complaints regarding “missed garbage” and require “backtracking” the previous day’s route and conducting bulk collection

on the same day. Well a year ago; April; we were told that the new packers; we'll be able to go to a 4 day collection; that's what we were told; we didn't tell anybody that; they told us when I saw us the City Manager and Bob Baird told us that so it's one year; well I'm going to address that. 7. In effectively doubling the number of double-route collection days, increasing the frequency of "one day sooner than usual" schedule changes which leads to increased "backtracking" in response to increased resident complaints of "missed garbage", and creating potential overlap of services competing to be performed simultaneously, the proposed ordinance creates additional pressure on already limited resources. This increases the likelihood that operations would extend beyond 3:00 p.m. While this too would have budget implications, it also places increased demands on our disposal facility. While they may be inclined to accommodate us, they are certainly under no obligation to do so or incur additional expense on our behalf. Even if we were utilize a different facility that alone would lead to longer days and additional labor costs. So if I understand this right because I called the Brooke County Landfill they're open Monday through Friday from 7:00 to 3:00 but on Saturday when we have the bulk pick up they're open from 7:00 until 12:00 okay so I guess; I don't know what to think but anyway. 8. Should City Council elect to proceed in adopting the proposed ordinance, we could reasonably anticipate the creation of the following: A. The possibility of further efforts from Council to direct city operations through legislation. Well we already did that through 95107 which tells the sanitation stuff. B. Likely budgetary impacts that we are unable to predict at this time. No one said there wouldn't be any overtime pay and nobody said that they don't want any overtime pay; we were trying to limit the overtime to save the City some money unless nobody is paying attention; if no managers are paying attention then we got a water crisis coming and we're going to need the money so unless nobody is paying attention to that then; it's the same as any other business. The real possibility of issues arising from absenteeism or other forms of passive resistance from employees. Well that's what management's job that's not Council's job I do agree with that; it's not Council's job to determine whether these guys are slacking off or any other employee for the City that's where management comes in if you don't want that job leave we'll hire somebody else; it's simple. Potential financial impacts to our disposal facility if they choose to accommodate us outside of their normal operating hours. What are we; I mean that's; they're open till 3:00 during the week and 12:00 on Saturday now I'm sure there's probably a reason to that they're probably let us in there I don't know I didn't check I just got the hours. So don't pour water on me and then tell me it's raining because I've been around the horn long enough to smell this okay; now bear with me okay. Let me tell you first off I want to address all the employees that are here from the sanitation department; this Council has been arguing to get you more men and more personnel since I've been here; since as long as I've been here this whole Council has argued to get you more personnel; we send e-mails to your street superintendent asking him what can we do to help you guys; we never got an answer okay. There's 4 position budgeted for the M & R Department none of them are being filled because we don't have the money to fill them right? So that's putting the burden on the City employees because there ain't a guy in here; I've (inaudible) work my whole life and I don't want nobody to do more than they're supposed to and I don't expect anybody to work like it's 1920. I asked your street superintendent for a price on a trash compactor 4 years ago; I don't have it; why do I want one? So you guys can dump it there and take it there; do I know if it works? Listen that's above my pay grade I wanted him to get it for me; nothing; nothing; new garbage trucks they won't let them until the 17th he stood here and he said we got to get intimate with our garbage everybody laughed because listen I ain't getting intimate with garbage that's just ain't going to happen. Okay so we laughed and we giggled about it so we're going to come up with it so; we're going to be able to go to a 4 day garbage collections and these guys we'll be able to work in other places in the City as long as we get the trucks. That bathroom at the City garage; I'm not even going to ask you; I know that bathroom has been like that for a long time; the heaters down at the sanitation packers where the water has been running all winter long so the pipes don't freeze and break. Public works department M & R has been engaged in maintenance and repair of snow control equipment; facility maintenance responding to service request from other City Departments; electrical service and repair a city facility in the daily refuge; M & R has been engaged in maintenance and repair of snow control equipment; facility maintenance responding to service request from other Departments and I ain't reading it; it's the same thing every week; none; me and Mr. Paul come down there to check it out for you guys because that's ridiculous they're ain't a person in this room; there's guys that worked in the mill and other places here that you can't go to the bathroom when you're eating a sandwich after you've been picking up garbage all day. Now you're supposedly allowed to go upstairs to use the bathroom up there; whether if that's true or not; I've heard it's not true but. I've contacted Mr. Mavromatis and I've asked him to tell Bob Baird to notify citizens when there's a problem; I got a guy that is 90 years old who's yard is messed up; I called him and he said I'm going to tell him Mr. Baird to go; only thing I've seen was here; I tell him send a guy the guy is 90; he called him; I get a call 2 weeks later from that guy; Bob; this 90 year old man talking; that's BS who do you think you're talking too? You're just like another politician; well I ain't like them other politicians; so I called Jim and he told me he was going to send Bob Baird out there; I get a call again; now I called back the last time; he sent Joe Marracino out there; Joe Marracino went out there immediately talked to the guy; the guy called me back; what Joe Marracino said he talked to him very nicely explained to him what was going on. We gave the sanitation department over a year ago a new secretary; we got to get a new secretary because (inaudible) once we get that secretary and we get them new compactors and them garbage cans rolled out we're going to a 4 day work week. Well you got a new secretary, you got new cans, and definitely got brand new garbage compactors because they're ain't nobody using; for one year; April will be a year that they have been down there; so this Council's frustration with the bulk; every year it's the same thing; well Council is not clear to me they will only tell me whether they want to have a bulk pick up. Listen we want a bulk pick up we're clear on it that we want a bulk pick up; Mr. Timmons brings it up constantly; yeah well everybody does; the garbage on these lots same thing;

well we got to come up with a solution; here's the solution because I don't just expect you guys to just go pick this up and I gave the solution they use it and the person got arrested; you tear the bag apart which I volunteered to go do; you look in there and when you see Bob Villamagna name on a utility bill you arrest Bob Villamagna so that's (inaudible) that they're doing that. Now we hear the same thing every year; we don't know; you're not clear; I can't make it no clearer other than swearing and cussing like I would do if there were just guys in here but that's why the ordinance came about; not to penalize anybody in this room because this Council and me I have spoken of every one of you guys; I think you do the job; you couldn't give me that job sanitation and looking there ain't too many guys that are really young here so it's harder so the cans were made to make it easier for you which that's good. We have implement I'm tired I'm not going to argue no more we want a bulk pick up; I'm going to table this ordinance only because of these guys; we want a bulk pick up; we want the garbage picked up on the streets and I don't want to hear because if I hear those excuses come from him one more time I'm going to call for his resignation and you can do what you want to do but I'm going to call for it every Tuesday because I'm not sitting here every week and hearing people call me from communities and tell me; and I'm sure everybody else gets the calls the garbage ain't picked up; I don't mean cans; I'm talking about the litter; LaBelle and Pleasant Heights we've walked around there what 3 or 4 years; tires are still by the water tower; he has to get that fence changed so they quit dropping them off; better to drop them off there then someplace else; well let's put that tire dump at Sunset and Braybarton that's where we put it at; let's put it at Sunset (all inaudible); let's put it at the West End Firehouse; oh that's still in your ward; anyway the point I'm trying to make; the tires ain't supposed to be there; we keep going up there and we keep picking them up; the fence was supposed to be changed; it's not changed that's the frustration; that's why the ordinance and if there isn't some answers to what I'm saying tonight I'm bringing this up; God be my judge; I'll bring it up every Tuesday until something is done. The ordinance; I make a motion; well I don't have to make a motion I just don't have too; and that's because of you guys but to be clear make sure you understand; I support you; we support you the whole way; this ain't about you it's about you having for over a year not being able to wash your hands in that filthy dump down there; not being able to go to the bathroom the two guys that got to go to the bathroom when you do; it's ridiculous and it's not going to be tolerated and I'm sorry that it took this long to do it. That's it that's all I got to say about that. Now I got something else to say. Water Street; pig, cow, chickens, they moved the cow; when we left there Willie says look over there he said there's a pig; I go no there's not; pig and chickens over there."

Mr. Paul – "Roosters"

Mr. Villamagna – "Their cock a doodle doing or whatever and I can't believe that I'm seeing this; this is the City of Steubenville now on Water Street it's a forgotten place nobody cares about Water Street; I care about the whole City; so I do this job because I love the City and people are going to start doing what they're supposed to do or they can move on. Prohibited uses; 1185.33 the following use shall be prohibited within any zoning district in the City. A. Salvage yards, junk yards, scrap yards, automobile, truck (inaudible); forget about it they're grandfathered in there since the beginning of 1900s they have been there so they're grandfathered in but don't forget this; 733.04 premises to be enclosed by a fence no person shall maintain a junk yard or junk shop in the corporate limits of the city unless such business is carried on entirely inside a building or building or unless the premises on which the business is carried on its entirety enclosed by a solid fence 7 feet in height and approved by the fire chief; such fence shall be maintained in a neat, substantial, safe condition and shall be painted. Gates for access to the premises shall swing inwardly and the gates shall be kept closed. No junk will be stored in the city unless it's stored in a building or an enclosed yard system without going through the whole thing. A fence got to be around there?"

Mr. Mavromatis – "That's correct."

Mr. Villamagna – "I expect a fence to be put up by that guy or he gets brought into court where the violations are made and I want to know what happened about it next Tuesday."

Mr. Mavromatis – "Well I can give you an answer about the animals they're gone."

Mr. Villamagna – "They're gone? The fence?"

Mr. Mavromatis – "And to answer about the fence the fire department has to cite him; which they are."

Mr. Villamagna – "The fire department is not going to go down there because they don't know it's there unless you send them there right? I mean Frank do you know about that fencing down there?"

Frank Deleonardis – "Are you talking about (inaudible)?"

Mr. Villamagna – "Yeah. He don't know and I don't blame you for not knowing unless there's a fire you ain't going down there. Somebody got to send these people. Now am I mad? Yeah I'm mad because I'm tired of coming here every week for \$5,200 a year because I didn't take this job for the money I took this job to help people and to help the City because I want to stay here and I want some answers and I'm going to keep asking questions every Tuesday and that's it I'm done. Thank you very much. I know I went a little long but that's all I got to say."

Mr. DiLoreto – "Short statement. All I know is I've been here for 8 years and we promised (all inaudible) a 4 day work week; I don't care how it gets done do it as best as possible and as cheap as possible and efficient as possible. I'm no manager but I'm still getting complaints about garbage and let me tell you something that sanitation fund is surely drying up; it's not going to be there too much longer and where that goes; I don't know what's going to happen. Mayor I was reading the Pittsburgh Post-Gazette in regards to the water in Pittsburgh they also have the same problem as we do but the Mayor up there he formed a blue ribbon committee with certain citizens throughout the city to help; their input; I think Eric was on the right trail when he brought that guy down from Pittsburgh to give us some input because I think this job is too big for the city; Council got appalled we got (inaudible) of dollars and we got to know what people are doing so we can spend our wisely

because this project did not come here over night. The last time I was in Council they had wooden pipes so we've come a long way. Thank you."

Mr. Dressel – "Yeah I actually have a couple things. One is I wanted to thank well Mike's not here; but Mike in M & R and Jim Mavromatis for repairing the street (all inaudible) everybody up there really appreciated that; they're able to get up there and the garbage truck can get up there now; it made a big difference and they did it really quickly and they did a really good job and actually fixed it so it shouldn't wash out again. There's some downtown events coming up there's a women's history month exhibit at the fort on the 23rd. Roger Micker is doing a presentation on Irish Barricade of the Civil War at the fort at 10:30 on Saturday March 17th; it's this upcoming St. Patrick's Day; they're free and open to the public. The Jefferson County Historic Society Museum on Franklin Ave. is opening up; it sounds like; the season of Wednesdays and Thursdays which is a change because they haven't had regular hours in quite some time and the Greek Church is having a Fish Fest this Friday from 3:30 to 6:30 down here on South 4th and also I wanted too sunshine a Resolution in support of the legislation to reinstate the local government fund back to the 2005 funding levels and declaring an emergency; any funding would be helpful; Jack Cera is working on that and a bunch of others to try and get some funding from the State taxing place. If anybody is interested to second that. What we'll do is present that next week we have a draft and the number of other communities that've been doing resolutions in support of the legislation just to give them a little extra; not that everybody doesn't know that we want money and that was all I had."

REPORT OF ADMINISTRATIVE OFFICERS

Mr. Mavromatis – "Thank you Mayor. Last night I attended the SRG meeting that was held down at Froelich's and they been looking at different areas in the City to cut the trees; 100 South 4th and 100 North 4th; and what's going to be done there. They had some excellent ideas and what I recommended to them was to get their presentation together and come in here to Council and present it what they would like to see. Nothing but compliments on the trees being removed but we do need to look at how we can add some other planters and/or trash containers there so that was my recommendation for them. Today which is an issue; well today I went up to the Club 106 which is at Slack and 6th St. last year we had a survey done that marked our property it was an L shape that we owned; (inaudible) was there Derrick Smith came out I walked him around to show him where our property lines were and he made the comment that he would like to buy the property so again I will find out exactly what we own; what it's worth; and ask Council if this is something that you want to entertain (all inaudible). I don't need an answer right now but again we're aware of what's going on; we're making sure we're going to have a fence put up there to protect our property and interest there so that's where that's at right now. That's all I had to say for tonight Mayor."

Mr. Mastros – No report

MISCELLANEOUS REPORTS

Mr. Villamagna – "Thank you Mayor. Jim the part-time employees why hasn't there been an advertisement put in the paper yet?"

Mr. Mavromatis – "I'll have to check why."

Mr. Villamagna – "Who do you have to check with for that?"

Mr. Mavromatis – "Well who's getting them so 3 are going to Parks & Rec and 6 are going..."

Mr. Villamagna – "My question is why are they not advertised yet?"

Mr. Mavromatis – "And my answer was I'll have to ask why. I don't advertise it. It's comes out of..."

Mr. Villamagna – "Well who did you ask?"

Mr. Mavromatis – "Bob Baird had brought it up to me and Lorri so they're aware of it."

Mr. Villamagna – "Thank you."

Lorri Fetherolf – "It's being advertised this week sir."

Mr. Villamagna – "Okay because I see that the lifeguards are being implemented and there was something else in there I forget and we need 9 employees; there were 6 and 3; 6 for the M & R; 3 for the Parks. So you're saying it's going to be advertised this week?"

Lorri Fetherolf – "It went in yesterday (inaudible) yes."

Mr. Villamagna – "And can you send a copy of the ad? How they do that e-mail or whatever."

Lorri Fetherolf – "Yes."

PUBLIC FORUM

Mayor Barilla – "Under Public Forum we have signing in under Public Forum will be Mr. Rich Brondos would you please step forward and state your name and address."

Rich Brondos – "And why I'm here is that Canary Street topic whatever and I've been a resident on Whitehaven Blvd. for over 62 years; I'm not use to talking in public like this whatever so bear with me whatever. Can I present or show you some things here for what I'm talking about whatever. I don't have enough copies for everybody but maybe you can share. Here can I keep one?"

Mr. Villamagna - "Sure. You only have the one?"

Rich Brondos – “No no no. Hold it here no I got a bunch here; you can have how many I just want one for me whatever. I got a copy here I have it; it’s in color it’s the aerial (all inaudible) I don’t want to get lost in what I’m talking about but...”

Mr. Paul – “Do you need this?”

Rich Brondos – “No you can have that one and I have here for I don’t (all inaudible) about what I’m talking about I got 3 sets of evidence here you know; yins can...”

Mr. Villamagna – “3 full sets?”

Rich Brondos – “3 full sets they’re all the same.”

Mr. Villamagna – “(All inaudible)”

Rich Brondos – “I’d like 2 back.”

Mr. Villamagna – “How about I’ll give them back to you right now.”

Rich Brondos – “No no you can use them; you can use them here and then when we’re done here just give me a set back or 3. I’m trying too; what I’m talking about. Yeah I understand.”

Mr. Villamagna – “You gave me the...”

Rich Brondos – “You can have the color copy whatever; I mean I would like it back it’s from the court house.”

Mr. Villamagna – “Yeah we’ll give it back to you.”

Rich Brondos – “Okay well what really got my attention was because I was out the Herald Star or whatever and I read in last week’s paper about the vacating of Canary Alley the dead end stub. Now I went to the court house and I don’t know where this warding is or whatever; Canary Alley dead end stub; that wording is completely wrong; it is Canary Street whatever and it is not a dead end stub it connects to the Whitehaven alley in the back whatever. Now if there was a Canary Alley dead end stub down playing that like it’s a piece of junk it’s a different story whatever. So I don’t know maybe a lot of you don’t not I’ve been there for 62 years and I mean over the years you learn from experiences in the neighborhood and I was involved with a lot of the stuff whatever; but I’m saying a lot of yins don’t know; John Spon sub division; 1st, 2nd, and 3rd (inaudible) all laid out basically you have your main streets; Whitehaven, Braybarton, Wilma, and Opal okay; perpendicular to them you have Sunset Blvd., I believe it’s called rear Sunset there, you have Canary Street, Opal there and Shady; there’s other ones in there too whatever but it’s basically a grid system whatever and behind all those residences there’s alley ways connecting to this grid whatever okay; don’t get lost here whatever. Now I’m talking Whitehaven Alley because that’s the one that intersects with Canary Street whatever okay; currently on paper which you see can go anywhere Whitehaven alley is supposed to have 3 entrances to it on paper whatever which it does; currently now there’s only one entrance and you can get into that alley way whatever and it’s the worst one out of the 3 whatever; okay in those pictures there number 1 whatever; I don’t have it in front of me number 1 on the top half whatever that is the entrance I have it marked there to Whitehaven alley from Opal Blvd. which since I’ve lived there and been as a kid was really not; you couldn’t get in whatever the terrain isn’t real bad but it’s bad whatever but now this; I don’t know how many years ago in the middle of that alley there’s some kind of electrical vault in the ground there sticking out it’s in the picture and there’s a meter socket on it dead in the middle of the alley plus the terrain’s bad; it’s totally blocked off now whatever. You know what I mean the terrain was bad before you weren’t going to take a car or a commercial truck or anything out of there maybe 4 wheel drive truck you could’ve whatever but one of the entrances off Opal now it’s got meter blocks in there now the only one that is useable; I’m having number 2 at the top of the page is rear Sunset up there you can get in that way but it’s the narrowest whatever it’s 16 foot wide whatever and that’s there and you have Sawinski’s garage which is built right on the property line and there’s telephone poles across there towards Em-Media there’s telephone poles there you can’t see but there’s a guide wire that comes down; I use the alley all the time whatever and it’s a bad situation even with the guide wire whatever you can’t see it whatever its tight there getting anything in or out even a pick-up truck whatever that’s 16 foot wide. Now Opal too now stating it chose its 50 foot wide whatever the street is not 50 but its 24; 13 feet on each side is easement for utilities and stuff. Okay now Canary Street which is not an alley it’s a street whatever it’s not blocked off it intersects that Whitehaven alley that is the easiest way to get into that alley whatever because it’s 50 foot designated to its street whatever; whatever it’s 24 foot which is good there’s no curbs in there at all now whatever and it could be wider whatever but its designated to the street 50 foot wide whatever and it’s elevation wise it’s at the top in the middle of that Whitehaven Alley you can go down either way because Opal is stubbed off; Braybarton is the narrowest and the only one now to get in and I believe it’s picture 3 I show Canary Street where you can get to the Whitehaven intersection; Whitehaven alley whatever with those pictures; I’m looking here because I can’t see them whatever; currently for years Canary Street which is the easiest way in there is blocked off why; because the Petrella’s vehicles are sitting there constantly blocking that off whatever; I’ve had neighbors that wanted to go through and get out and have to go up ask the Petrella’s to move the vehicles if they’re home; if they aren’t home you ain’t getting out; you’re stuck you’re not getting out on Opal you got to back out of there whatever and that’s; all 3 should be public entrances whatever; whatever Canary Street is always blocked with their vehicles it shows it right there whatever and I have from the back it might be on the other one I’m not sure where Canary intersects Whitehaven alley it makes a T there; it goes South towards Opal; North towards rear Sunset whatever okay; everybody else in the neighborhood is elderly whatever and stuff and they’re all afraid to speak up because of the Petrella’s and stuff whatever and they don’t want to make waves in the neighborhood that’s natural everywhere whatever. I’m speaking up I live there that alley way there I see on them pictures nothing but code violations whatever I have them here; 1. Blocking the intersections of a street that is a street; there’s (inaudible) there; there’s 2 other vehicles sitting there Village Sleep Center and another box truck that’s one violation blocking an intersection there whatever. 2. The one box truck hasn’t been moved in months I have neighbors and everybody else says is it abandoned, junk, inoperable, another code violations; that van is sitting on that street whatever; whatever and the code violation says I have; I can go through

them whatever I've read them whatever I'm not; you can read them too I have them here; I know 72 hours and basically you want to see something too I have neighbors talking to me down on Chestnut; Devonshire and stuff in the pictures look up from down there whatever and think; you know what you see looks like (inaudible) billboards in a residential neighborhood; it's exactly what it looks like; that truck sitting up there Village Sleep Center in the middle of a residential neighborhood there's a billboard whatever sitting there that's what those people told me down there; they're tired of it nobody will speak up though whatever. There's another code violation whatever those vehicles don't belong; right here is the codes and I have the numbers and stuff; they do not belong on that city street they're the ones that have tunnel vision or whatever I'm sorry to say that whatever but I can go further if people want to know about that alley I got pictures I can show you."

Mr. Timmons – "I have a question whenever you get the chance. May I ask?"

Rich Brondos – "Go head I have a (inaudible)."

Mr. Timmons – "No no no. I'm just looking at the pictures and it says no outlet; there's a sign right there; I mean is this even?"

Rich Brondos – "Whoever put that there that don't even make sense I'm glad it's there because you get back in there whatever we don't want that somebody from not the city driving back in there and going down; it's yards basically we don't want them going in the yards; I'm glad the sign is there."

Mr. Timmons – "So you can't drive it anyway?"

Rich Brondos – "Oh yeah you can drive it; it is strictly (inaudible) other planes here what those alleys were put there for; those alleys were put there for utility; there's utilities through there; fire line, water line, underground electric it shows in a picture I'm not sure if it's them; it's showing 20 foot on the print at the court house it's not."

Unidentified Gentleman – "I'd like to answer your question."

Rich Brondos – "(All inaudible)"

Mayor Barilla – "Sir sir sir. You're out of order there. Let this gentlemen continue."

Rich Brondos – "On paper shows 20 foot what is actually there is not there's telephone poles which have utilities used there; they're all 3 foot off roughly off the property line whatever; every 2 houses or so there's green boxes there they're junction boxes for underground telephone lines whatever they go to all the houses; down the middle of that alley is a water line it feeds Whitehaven this way it feeds Braybarton that way utility trucks are in there a good bit; this past fall Comcast was in there; Wellsburg cable (inaudible) all those new tool axels for Comcast and Comcast is back there whatever hooking them up and stuff to the poles and stuff whatever I mean I know what's in that alley whatever and stuff. They're saying it's a completely different story that gets an alley stub; it is not; it intersects the Whitehaven alley; it's the easiest way; there's only one way in there the worst way the narrow way; Canary Street is designated as 50; Opal is a 50; Opal's out you can see it's blocked off; out the other end is tight because you got a garage right there on the corner to turn in whatever and I know a lot of you towing trucks; I see them; guys can't get back in there it's all hard now; everything got to be hand in and out of there whatever. The easiest way and for first responders you come down Canary Street you're right there you can go right or left; one way this way one way that way; it is the most sensible whatever it's easy for first responders because fire trucks can back in there over the years whatever I know that; I've lived there; I've seen it whatever. Why would I have pictures? I can go; irrelevant you know pictures in here and show them what goes on. You cannot get through that alley at times in the spring; I can it the soup hole whatever there's one section everything drains elevation wise from Braybarton down in there."

Mayor Barilla – "Mr. Brondos let me say something."

Rich Brondos – "Okay go head."

Mayor Barilla – "I think you've made your point I'm going to allow you another 2 minutes."

Mr. DiLoreto – "Why do they want it closed?"

Rich Brondos – "They want it closed because she whatever; her contractor whoever; didn't go to the City Planning Commission they put a set of new windows and they put a set of new patio doors in the house where; I don't know how big a patio they can legally build now; but they want to vacate the street for a set of her patio doors jeopardizing the whole neighborhood; 2 blocks to Braybarton; 2 blocks to Whitehaven for a set of patio doors because they didn't go to the Planning Commission before they put these doors in I heard they were a gift from her son whatever and you want to jeopardize for utility companies that are in and out of there; the neighbors that use it and first responders for a set of patio doors; makes a lot of sense to me."

Mayor Barilla – "Okay thank you. The gentleman in the back that raised his hand."

Rich Brondos – "If I can help in anyway whatever I have pictures of what has gone in over the years in the alley and everything."

Mayor Barilla – "Okay thank you. Do you want to state your name and address please?"

Joseph Greer – "Sure. I'm at 118 Braybarton and I've lived there for about 8 years. That's quite an imagination; I've been living there and taking care of shoveling the snow, raking the leaves for 8 years; one time early on the city plowed and all the gravel got put in a huge pile it took us a half a year to get the gravel spread back out so as a homeowner I've been maintaining this stow of an alley it is gravel up to the end of the property then there's an extreme drop off there; if you drove off the end you're going to end up in somebody's living room."

Mayor Barilla – "So your house is adjacent to this?"

Joseph Greer – "I'm the one to the left (inaudible) Sunset and so I don't know anything about any of what you just talked about I'm interested in containing and maintain this area with leaves and snow; it is going to continue to be exactly as I see it right now because that's the only way I've kept my driveway which is behind my house. I don't intend to change anything to it and neither does my neighbor. It's pretty simple to us and any code violations that are parking is not what we're discussing here (all inaudible). So to answer your question it's gravel

all the way to the end of our property; it stops there; it's grass beyond that and there's an extreme drop off to the neighborhood behind; if there was a fire the truck would be driving down the street to get to the fire."

Mr. Timmons – "I grew up on Opal; sorry to interrupt; I grew up on Opal played on those you know riding bikes through those; I never considered them alleys really; the only Canary Street I ever knew was from Whitehaven to Braybarton."

Mayor Barilla – "Wilma"

Mr. Timmons – "Well Wilma yeah that's what I mean; Wilma to Braybarton."

Joseph Greer – "Yeah for several blocks the; end up at Braybarton and then there's just the length of one house and it stops and all we're talking about is that little piece at the top; I have no intentions of blocking anything off we have neighbors that walk their dogs through there; there are people that walk through there for exercise and I have no intent to do anything to any of that; so that's where I'm coming from."

Mr. DiLoreto – "So you want it opened? I'm sorry."

Joseph Greer – "Yes that's how I get to my backyard; my driveway is off the alley; that's how I get to my backyard."

Mayor Barilla – "There's no entrance to your garage other than through that alley?"

Joseph Greer – "Yes sir that is correct."

Mayor Barilla – "Okay."

Joseph Greer – "That's all I have."

Mayor Barilla – "Okay thank you. Mrs. Petrella do you want to step forward? Name and address please?"

Anita Petrella – "Yes sir. 200 Braybarton. Actually I didn't mean to cause all this; we did want to put a side patio on which really I didn't think was going to affect anything when I went to Planning and Zoning; which my neighbor must not think I did but I did; they did not (inaudible) it to let them vacate that street because for 30 years my husband who plowed it and spread the gravel and filled the pot holes because the city couldn't afford it; Mr. Desantis put that sign up I just brought a picture that says no outlet because I didn't want that sign in my front yard on Braybarton and for 20 years he made me keep it because he said that that alley goes to absolutely no where so I said if it's an alley let me have it; he said it's a street Canary Street and I do pay taxes for a corner lot and so does Mr. Greer because we're on Canary and Braybarton. So for 30 years since 1988 I've paid corner lot taxes and the street Canary street goes to nowhere; there is no Whitehaven alley; there's a right of way that the utility trucks do use and they don't come back through our place they enter through behind Spon's (inaudible) or the other end and they've done it for 30 years; he just told you that I do have a truck parked back there and they have never come to ask me because they don't (all inaudible) nobody goes there except Greer's driveway and my driveway it ends there anybody is welcomed to come and see or do what they want. We've maintained it for 30 years we'll still maintain it because the City can't afford too and all I've had to do is put a little cement on the side but because it's a street it measured back and Chris Petrossi said the easiest thing to do is just to let us vacate that because we can't afford it anymore as a city so why don't you just continue to take care of it and we may even ask for it; we've talked about it; but I surely didn't mean to cause such a commotion and we did go to Planning and Zoning; you can ask Mr. Petrossi."

Mr. Paul – "Can we get a variance?"

Anita Petrella – "I paid \$2,000 to a survey; recommendation Mr. Petrossi to vacate the alley so if we do a variance somebody else can maybe pay the \$3,000."

Mayor Barilla – "The vehicles that are parked there is there any other way to have them park elsewhere as of?"

Anita Petrella – "Sure. They have license and insurance they're legal you can come up and look at them; they're all up to date; they're parked on a city street Canary Street. Thank you."

Mayor Barilla – "I'll let you rebuttal one more time."

Rich Brondos – "I believe sure they are legal vehicles and stuff but right in the ordinances in the restrictions are right here. No commercial vehicles on a public street it's right here I mean the one hasn't been moved in months is it junked, abandoned, whatever it's an ordinance that vehicle hasn't been moved and it's a box truck whatever the other one is legally it got plates and stuff they are on a public street how much difference do you need whatever it's ordinances; they don't belong in a residential neighborhood they're mixing their business stuff in a residential neighborhood they do not belong there there's ordinances here. The other stuff about this man talking about raking leaves and stuff go look at the back of his place I can show you on pictures here whatever you look down through there the 3 neighbors above him; you can see who they are I know who they are they pay a lawn service they cut their lots and weed either all the way down through there; take turns it's a city point piece of property alley; we take turns to maintain it and keep it nice go up there now and look behind the place; behind this guy's house it's a dump; he said they rake the leaves and stuff; they're his maple trees he don't rake them they're everywhere and one more I've had neighbors over 75 years old that have gone up there because he don't maintain his trees that hang over how; they couldn't get their brand new vehicle through there; their getting it scratched; they were up there over 75 years old cutting limbs and stuff; I went and helped them for opening up to be able to scratch their cars and last spring I hauled a truck load of stuff out of there from behind his place that's hanging over and he's telling me they rake the leaves and all this stuff come on I'll bring those neighbors 75 years old in and they can verify."

Mayor Barilla – "Okay okay thank you. Wait wait please."

Mr. Villamagna – "Can I make a suggestion? That the building department along with a police officer go up there and check this out and find out the ordinances and whatever is done there has to be corrected if he's in fact right or wrong one way or another."

Mayor Barilla – "Okay."

Mr. Paul – “We have 2 more weeks this is only the first reading. We have 2 weeks (inaudible) time to come up with something.”

Mayor Barilla – “We’ll take it under advisement.”

Mr. Villamagna – “If they are not allowed to be parked there; move; if they are allowed to be parked there then that’s the end of the story but have them check it.”

Mayor Barilla – “Okay.”

Mr. Villamagna – “Thank you.”

Mayor Barilla – “Thank you.”

Mr. Petrella – “Mayor I got one comment. Since Mrs. Petrella brought it up Mr. Petrossi’s name I think we should also ask Chris what was going on and get his input on it.”

Mayor Barilla – “Okay good; good recommendation thank you. We shall do so.”

Mr. Paul moved to adjourn. Second by Mr. DiLoreto. Roll call. All ayes. So moved; meeting adjourned declared Mayor Barilla.

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR