

**MINUTES OF THE REGULAR MEETING NOVEMBER 14, 2023
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8 P.M., on Tuesday, November 14, 2023. Commission President Silverman called the meeting to order and led the Pledge of Allegiance to the Flag. Manager McGill called the roll. Present were Andrew Flynn, Craig Grella, Mindy Ranney, Anne Swager Wilson and Steve Silverman. Also present were Assistant Manager/Planner McMeans, Public Works Director Sukal, Chief of Police Haberman, Finance Director McCreery, Recreation Director Donnellan, Inspections Officer Sarver, Information Technology Officer Schalles, and Public Information Officer Lilley. Also present were Phil Weis (via Zoom) of the solicitor's office and Dan Deiseroth of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Manager McGill summarized the information that was reviewed during the discussion session, including an update on the ice rink, an overview of the Cochran/Cedar intersection, review of the Main Park Site Plan, and conducted the IDA meeting.

Manager McGill stated that prior to this meeting, the Commission met in executive session to receive legal advice from the solicitor on a variety of issues. The next adjourned meeting of the Commission is Tuesday, November 28, 2023, at 8 p.m., to be held in Commission Chambers, with the discussion session meeting starting at approximately 6:30 p.m., to be held in Room C. These meetings are also available on Zoom. The executive session starts at approximately 6 p.m.

Manager McGill also stated that the first budget workshop was held on Thursday, November 9. The second budget workshop is Saturday, November 18, at 9 a.m. The third is Thursday, November 30, at 6 p.m. and the final workshop, if needed, is Tuesday, December 5, at 6 p.m. The final budget hearing and the adoption of the budget is set for Tuesday, December 12, at 8 p.m. All meetings are in person at 710 Washington Road. The workshops will also be on Microsoft Teams, and the hearings will be on Zoom. Those links will all be available online after the budget is released. The public can comment during the public hearings but not at the workshops. We look forward to hearing from you as we embark on this important process.

Ms. Swager Wilson said the Mt. Lebanon Historic Preservation Board is presenting "Historic Preservation: Bridging the Past, Present and Future," featuring Teresa Duff, the chief conservator and director at Lineage Historic Preservation Services. She will speak on the history and development of architectural conservation. The one-hour workshop will be on Tuesday, December 5, at 7 p.m., at the Mt. Lebanon Public Library. Make your reservation on the library website at www.mtlebanonlibrary.org.

The draft of the 2023 Mt. Lebanon Comprehensive Plan has been posted and is ready for your feedback at acendlebo.com. This is your last chance to weigh in before the Commission adopts the final plan next month.

Pittsburgh Regional Transit is reviewing all its bus routes, including the ones in Mt. Lebanon. They are seeking public input, and it is important that your voice be heard, as our routes could be affected. For details and ways to give your feedback, go to mtlebanon.org/PublicTransit.

Mt. Lebanon is getting ready for the holidays, and we want you to be aware of two fun events. Beverly Brite Nite will be at 7 p.m., on Thursday, December 7. Hang out with Santa, see the tree lighting, shop, dine and sing! On Saturday, December 9, it's Washington Road's turn with the Winter Market and Holiday Celebration, from noon to 5 p.m. Shop food and crafts vendors, visit the Uptown Shops, meet Santa, play games with the kids, hear music and watch model train displays. Cap it off with the Clearview Common tree lighting at 5 p.m.

Spots are going fast at the Mt. Lebanon Residents Academy, a free nine-week program sponsored by the Mt. Lebanon Community Relations Board, starting January 4. Program information and applications are available on our website, at mtlebanon.org/ResidentAcademy.

Finally, as you're setting up your holiday decorations and you find that one infuriating strand of lights that decides to call it quits this year, know that you can recycle that strand for a good cause. Michael Brothers has a collection bin in the lobby of the Municipal Building, 710 Washington Road. They will collect the lights and donate the proceeds from the recycling to Project Bundle Up. The lobby is open Monday through Friday from 8:30 a.m. to 5 p.m.

INTRODUCTION OF DEPUTY CHIEF OF OPERATIONS STEVE RUBY

Chief Haberman introduced the new Deputy Chief of Operations Steve Ruby and gave a brief synopsis of his career.

JUNIOR COMMISSIONER SARAH HUDAK COMMENTS

Junior Commissioner Sarah Hudak spoke about various events at the high school, including club picture day, a food drive, a social studies test and the winter sports event on November 17.

CITIZENS COMMENTS / ONLINE COMMENTS

Bill Hoon of 456 Coolidge Avenue stated that he and his wife were coming home on the T last week when he heard someone in the front car continually speaking profanity in a loud voice. He and his wife were the only two in the rear car, and when he heard the noise, he stood in the aisle to prevent this person from having access to and possibly harming his wife. He said the guy came back to his car with a lacrosse stick, and he asked Mr. Hoon if he was worth \$2.5 million. This occurred by the Dormont Junction. Mr. Hoon did not engage him and stood in the aisle staring at him. The guy finally got off the T. Mr. Hoon said that people need to be aware of their surroundings and realize that bad situations can occur in Mt. Lebanon.

Rob Mackey of 610 Royce Avenue submitted photos of trees that have sustained damage from deer; trees that had protective guards on them. He stated that the Parks Advisory Board is recommending the municipality take whatever measures are necessary to protect the trees, including water bags.

Dave Egler of 121 Poplar Drive said that when the commission discussed a flat fee for refuse collection earlier in the year, he spoke out against it, stating it would negatively affect lower- and middle-income residents, especially since residents also pay a stormwater fee and sanitary sewer fee. You're hurting the people who need the most help. He said the tax structure has worked over a century in this community.

Tyler Love of 361 Old Gilkeson Road showed a picture of the development area on Old Gilkeson, stating that he can no longer walk safely to Cedar Boulevard and take his child to school because of a manhole that was installed. He said what took 25 minutes to walk now takes 50 minutes since the steps to Inglewood have been removed. He asked that the municipality consider replacing the steps leading from Old Gilkeson to Inglewood.

**CONSIDERATION OF THE MINUTES FROM
THE ADJOURNED MEETING HELD OCTOBER 24, 2023**

Mr. Grella moved and Ms. Swager Wilson seconded to approve the minutes. The vote was called. The motion carried unanimously.

**PUBLIC HEARING ON THE 2024 MANAGER'S RECOMMENDED
BUDGET AND THE PROPOSED TAX RATE FOR THE YEAR 2024**

Ms. Ranney said the Manager's 2024 Recommended Budget, prepared pursuant to the Home Rule Charter, was submitted to the Commission November 1, 2023. Residents may inspect the budget during normal business hours at 710 Washington Road (Municipal Building) and at the library. The Recommended Budget is also available on Mt. Lebanon's website at www.mtlebanon.org.

Tonight, citizens have the opportunity to provide written and oral comments and suggestions regarding the budget and tax rate for 2024. The tax rate is proposed at 4.5 mills. The public will also have an opportunity on December 12, 2023, to comment on the Commission's proposed adjustments to the Manager's Recommended Budget.

Mr. Silverman declared the public hearing opened.

Brian Winsor of 921 Miami Avenue spoke against a garbage fee, stating that it impacts people with homes that are assessed at lower rates. A resident with a home assessed at \$200,000 would save \$82 a year with the .41 reduction in taxes, but they're paying a \$290 garbage fee; therefore, they have a net payment of \$208. He said compare that to someone whose home was assessed at \$1 million. They would have a decrease in tax of \$410. As a result, the person whose home is assessed at a lower rate would be charged \$208 more, whereas the home that was assessed at a higher rate, would be given \$120. He stated that according to the discussion session held in August on this matter, if the refuse increase was incorporated into the tax base, there would be an increase of .28 mills. Therefore, someone whose home was assessed at \$200,000 would still end up paying \$56, and the person with the home assessed at \$1 million would pay \$280 more. He said a flat fee burdens lower- and middle-income residents and benefits higher income people.

Dave Egler of 121 Poplar Drive spoke about the capital side of the budget, indicating that for 25 years he has asked that the delinquent properties on Pennsylvania Boulevard be acquired by the municipality and turned into walking trails. He noted that there are 17 delinquent properties.

Because there were no further comments, Mr. Silverman declared the public hearing closed.

**INTRODUCTION OF ORDINANCE (BILL NO. 5-23) AMENDING THE 2023 BUDGET
FOR REVENUE AND EXPENDITURES NOT ANTICIPATED IN THE 2023 BUDGET**

Ms. Swager Wilson said the following adjustments are proposed:

General Fund

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Revenue:	Justification:	
Use of Fund Balance	Commission Authorization	\$485,900
Investment Earnings	Actual Received	<u>200,000</u>
	Total	<u>\$685,900</u>

Expenditures:	Justification:	
Library Building - Entrance Concrete Repairs	Commission Authorization	\$64,700
Traffic Calming - Cedar at Hollycrest/Salem	Commission Authorization	175,000
Golf Course Equipment	Commission Authorization	75,070
Building Inspection - New Software	Commission Authorization	84,100
Golf Course Cart Path Improvements	Commission Authorization	12,000
Main Park Site Plan and Rec Center Study	Commission Authorization	45,000
Transfer to Capital Projects Fund	Commission Authorization	<u>230,030</u>
	Total	<u>\$685,900</u>

Capital Projects Fund

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Revenue:	Justification:	
Transfer from General Fund	Commission Authorization	\$230,030
Indoor Tennis Contributions	Commission Authorization	<u>60,750</u>
	Total	<u>\$290,780</u>

Expenditures:	Justification:	
Ice Rink Resurfacers	Commission Authorization	155,780
Tennis Court Reconstruction - Add'l Funds	Commission Authorization	<u>135,000</u>
	Total	<u>\$290,780</u>

Ordinance (Bill No. 5-23) was introduced, and the public hearing was set for November 28, 2023.

**INTRODUCTION OF ORDINANCE (BILL NO. 6-23)
CONCERNING THE MUNICIPALITY'S 2024 BUDGET**

Mr. Flynn said the Commission held a scheduled budget work session to review the budget on Thursday, November 9. Additional budget work sessions will be held on Saturday, November 18, Thursday, November 30, and if needed, on Tuesday, December 5. A public hearing was just held to comment on the Manager's 2024 recommended budget. A second public hearing is scheduled on December 12, regarding any Commission revisions to the manager's recommended

budget. The 2024 budget ordinance is scheduled for consideration at the December 12, 2023, meeting.

Ordinance (Bill No. 6-23) was introduced.

**INTRODUCTION OF ORDINANCE (BILL NO. 7-23)
FIXING THE TAX RATE FOR THE YEAR 2024**

Mr. Grella said the municipality will be fixing its tax rate in accordance with the adopted budget. The tax rate for general purposes is currently 4.91 mills. The tax shall be fixed at the rate of 4.5 mills for the year 2024 and continue in force for each successive calendar year without annual reenactment unless the tax is subsequently changed. The Municipality just conducted a public hearing on the tax rate, and the rate will be further considered as part of the public hearing on the Fee for collection of Garbage.

Ordinance (Bill No. 7-23) was introduced.

**INTRODUCTION OF ORDINANCE (BILL NO. 8-23)
ESTABLISHING A FEE FOR THE COLLECTION OF GARBAGE**

Ms. Ranney said Mt. Lebanon currently contracts for garbage collection. As a result of higher costs in the recently approved five-year contract, the Commission has decided to assess an annual fee for the collection of garbage beginning January 1, 2024. The proposed ordinance established the fee at \$290 a year for the first year, gradually increasing to \$410 in the final year. There is a 2% discount for payment prior to April 30. The proposed ordinance also contains an exoneration provision and standard billing and collection provisions.

Ordinance (Bill No. 8-23) was introduced, and the public hearing was set for November 28, 2023.

**INTRODUCTION OF AN ORDINANCE (BILL NO. 9-23) AMENDING
THE STORMWATER FEE BILLING AND COLLECTION PROCEDURES**

Ms. Swager Wilson said Mt. Lebanon currently assesses a storm sewer fee, which is billed and collected annually with an option for large properties to pay every four months. The Ordinance changes the billing method to just an annual billing. The Ordinance also established February 1 as the billing date, April 30 as the end of the discount period, and August 31 as the due date at face. The Ordinance changes will align the billing and collection with that of the garbage fee.

Ordinance (Bill No. 9-23) was introduced, and the public hearing was set for November 28, 2023.

**CONSIDERATION FOR THE AWARD OF THE TENNIS CENTER
COURT RENOVATION PROJECT PHASE 2 – COURT CONTRACT**

Mr. Grella said a proposal was received from Keystone Sports Construction for the Tennis Center Court Renovation Project Phase 2 on August 17, 2023. Keystone holds the COSTARS contract bid through the Commonwealth of Pennsylvania, Contract (COSTARS-14-E23-312).

The project consists of rehabilitation work at Mt. Lebanon's Tennis Center, courts 5 and 6, including removal and installation of two (2) new Har-Tru clay court playing surfaces with Hydrocourt irrigation technology; new tennis posts and nets; as well as all necessary site preparation, protection, and restoration.

The contractor has provided references from similar types of projects. The references have been contacted, and they have verified that the contractor is capable of completing the project. The Municipal Engineer has reviewed the proposal in conjunction with the Municipal Solicitor and determined it to be acceptable and recommend the project be awarded to Keystone Sports Construction.

The proposal totals \$331,253.19. The Indoor Tennis for Mt. Lebanon will be contributing 45%, or \$149,063.94 to the project, and the remaining \$182,189.25 will be from the Capital Improvements Fund.

The total project cost is estimated at \$410,053 and includes this proposal along with sitework (to be bid) and electrical work which already has been completed.

Mr. Grella moved and Ms. Swager Wilson seconded to award the Tennis Center Court Renovation Project Phase 2 - Court Proposal to Keystone Sports Construction in the amount of \$331,253.19, subject to execution of a contract approved by the Municipal Solicitor and Municipal Manager. The vote was called. The motion carried unanimously.

**CONSIDERATION TO RATIFY APPROVAL OF THE
REBUILD OF COMPRESSORS #2 AND #3 AT THE ICE RINK**

Mr. Flynn said the Mt. Lebanon ice rink and recreation staff became aware of a problem with the ice plant when the system was not cold enough to support ice. The rink was closed on Sunday, October 22. Our service provider was contacted and determined that extensive repairs are necessary, and parts will not be available for about three weeks.

To minimize the amount of down time for the rink and impact to the users and the municipality, and pursuant to Administrative Code Section 1-155 and a declaration from the Municipal Engineer, the Municipal Manager authorized ABM Building Solutions, LLC to furnish the materials and perform the required repair work at a cost of \$55,185.

Mr. Flynn moved and Ms. Ranney seconded to approve the rebuild of Compressors #2 and #3 for \$55,185 as authorized by the Municipal Manager. The vote was called. The motion carried unanimously.

**CONSIDERATION TO RATIFY APPROVAL OF TEMPORARY
MEASURES TO RESTORE AN ICE SURFACE AT THE ICE RINK**

Ms. Ranney said the Mt. Lebanon ice rink and recreation staff became aware of a problem with the ice plant when the system was not cold enough to support ice. The rink was closed on Sunday, October 22. Our service provider was contacted and determined that extensive repairs are necessary. The previous agenda item ratified repairs to the system.

To minimize the amount of down time for the rink and impact to the users and the Municipality, and pursuant to Administrative Code Section 1-155 and a declaration from the Municipal Engineer, the Municipal Manager has authorized Herc Rentals to rent and install a chiller at a cost of \$44,089.16. Additionally, ABM Building Solutions, LLC was authorized to install the taps and provide glycol a cost of \$21,975, for a total of \$66,064.16.

Ms. Ranney moved and Mr. Flynn seconded to approve the measures to restore the ice surface at the Ice Rink as authorized by the Municipal Manager. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 9 p.m.