

Allegheny County Council

*436 Grant Street
Pittsburgh, PA 15219
Phone (412) 350-6490
Fax (412) 350-6499*



Meeting Minutes - Approved

Wednesday, June 11, 2014

4:00 PM

Conference Room I

Committee on Parks

Nicholas Futules-Chair

Members: James Ellenbogen, Michael J. Finnerty, Heather S. Heidelbaugh, Robert J. Macey, Sue Means, and John Palmiere

I. Call to Order

The meeting was called to order at 4:06.

Invited Guests:

William D. McKain, CPA-County Manager or Designee

Andrew Baechle-Director, Parks Department, or Designee

Mr. McKain was present from the Office of the County Manager.

Mr. Baechle and Mr. Hopson were present from the Parks Department.

Mr. Kossert and Mr. Lamay were present from the Department of Facilities Management.

Assistant Superintendent Morton and INSpector Zilch were present from the County Police.

Mr. Barker and Mr. Szymanski were present from the Office of County Council.

II. Roll Call

Members Present: 6 - Futules, Jim Ellenbogen, Michael Finnerty, Bob Macey, Sue Means and John Palmiere

Members Absent: 1 - Heather Heidelbaugh

Members 2 - Jan Rea and Ed Kress

Non-Members:

III. Approval of Minutes

[8325-14](#)

Motion to approve the minutes of the Parks Committee meeting of Allegheny County Council held on June 4th, 2014.

Passed

IV. Agenda Items

Ordinances

[8312-14](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Chapter 650 of the County Code of Ordinances entitled Park Rules and Regulations, to restate the prohibited activities in the Parks involving motor vehicles and to change provide for specific penalties for violation of prohibited activities in the Parks involving motor vehicles.

Sponsors: Council Member Futules, Council Member Martoni, Council Member Ellenbogen and Council Member Palmiere

At the request of the Chair, the clerk read the title of the bill.

Mr. McKain indicated that the Police were prepared to present information relating to the bill.

The Chair suggested that it is unlikely that the bill would be referred out of committee at the present time, due to the need for the members to digest the information to be distributed.

Inspector Zilch provided an overview of the Department's practice with regard to ticketing parking violations in the parks.

The Chair, Inspector Zilch and Assistant Superintendent Morton discussed how citation amounts are designated.

In response to a question from the Chair, Inspector Zilch indicated that individuals receiving citations must see a magisterial district judge in order to ascertain what their fine will be.

Inspector Zilch provided a discussion of various fines imposed by municipalities for parking violations, noting that citations under municipal ordinances do not involve fees and costs and are often lower than those written under the Commonwealth's Motor Vehicle Code, which are \$50.00 plus costs.

Mr. Finnerty suggested that there may be wisdom in setting up a tiered structure, with a discounted amount payable within 72 hours or so, and a higher amount payable after that timeframe.

Mr. Ellenbogen expressed concerns that often parking is at a premium during special events and that violations are most likely to occur at those times, and suggested that the fine should be set such that it is an adequate deterrent to parking in areas that will make emergency vehicle access difficult.

Mr. Finnerty suggested that a \$50.00 fine would be an adequate deterrent in his opinion, but also noted that different fines will be more or less of a deterrent to individuals based on their situations, and that the primary deterrent may be the inconvenience of dealing with the citation. Mr. Ellenbogen suggested that something in the \$75.00 to \$100.00 range would likely be more of a deterrent in his view.

Mr. Ellenbogen and Mr. Finnerty agreed that whatever the amount is, it must be an adequate deterrent to blocking emergency vehicles.

The Chair suggested that there may be wisdom in setting a fee for parking offenses, but setting up a different fee structure for other offenses based on severity. He also noted that there may be delineated offenses contained within the ordinance that no longer make sense.

Ms. Rea expressed a feeling that the parks may be different enough in character, particularly with regard to the number and size of special events that take place in the parks, that setting fines on a park-by-park basis may be advisable.

Mr. McKain stressed the complexity of the issue, and noted that there are far more people using North Park now than had been there previously as a result of improvements that have been made in that park, but that those same factors may not be relevant to other parks and that this may imply that different fines for parks depending on circumstance do make sense.

Mr. Palmiere and Mr. Ellenbogen discussed the mechanics of parking regulation and fire lanes.

Mr. Palmiere suggested that the fine should be set at \$100.00 if paid within 72 hours,

then the \$100.00 to \$300.00 scale at the discretion of a magisterial district judge thereafter.

Ms. Means expressed agreement with the \$50.00 fine amount for parking violations, but suggested that there may be mechanical issues with verifying payment time if payment is required within 72 hours. She also expressed her sense that the fines should not necessarily be the same for parking as it is for landing an aircraft in a park.

Assistant Superintendent Morton noted that the officers were writing the tickets for the maximum amount at the request of the local magistrate.

Mr. Finnerty suggested that perhaps \$75.00 is the best compromise among the options discussed so far, with higher fines if payment is not made within 72 hours and envelopes and drop boxes provided at park offices or police stations to facilitate payment.

Mr. Finnerty, the Chair, Inspector Zilch and Mr. McKain discussed the logistics relating to processing payments through the mail or drop off, with Mr. McKain noting that thoroughly evaluating those possibilities will take some time.

Mr. Kress expressed a preference for mail-in responses, rather than drop boxes. Mr. McKain and Assistant Superintendent Morgan expressed agreement.

The Chair noted that his preference would still be for a \$50.00 fine.

Mr. Kress asked about the distinction between parking on grass and parking in areas designated with "no parking" signs, and Inspector Zilch indicated that the officers would not cite parking in areas that are not posted barring special circumstances. Mr. Kress suggested that there may be wisdom in adding language relating to special events or other special circumstances.

The Chair expressed a feeling that the provisions relating to motor vehicles within the parks may be subject to additional discussions after a consensus is reached on the issue of the fine structure.

The bill was held pending those discussions.

Held in Committee

Enactment No: 08-14-OR

[8224-14](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, granting authority to the County of Allegheny to transfer a parcel of property to Kenneth and Christine Gulick in Frazier Township in exchange for Kenneth and Christine Gulick transferring a parcel of property of equal or greater value in Frazier Township adjoining Deer Lakes Park to the County of Allegheny.

Sponsors: Chief Executive

The Chair expressed a desire to hold the bill pending the attendance of Mr. Szefi.

Held in Committee

Enactment No: 10-14-OR

[8313-14](#)

Ordinance of the County of Allegheny granting authority to demolish

certain structures in South Park.

Sponsors: Chief Executive and Council Member Palmiere

At the request of the Chair, Mr. Barker read the title fo the bill.

Mr. McKain, Mr. Kossert and Mr. Lamay provided an overview of the demolition project. Mr. McKain noted that there may be potential liability issues with the buildings that are in a state of disrepair, and Mr. Kossert described the process by which the decision was made to demolish these particular buildings at this time. Mr. Kossert also noted that the County is prepared to begin the demolition work once approval is granted.

In response to a question from Ms. Means, Mr. Kossert discussed potential asbestos abatement relating to the buildings to be demolished. Mr. McKain noted that existing appropriations for these demolition projects should be more than adequate to cover any necessary abatement measures.

In response to a question from Mr. Macey, Mr. Lamay noted that these contracts are subject to the County's M/W/DBE policy.

Mr. Ellenbogen asked whether the County could handle the demolition internally, and Mr. Kossert and Mr. McKain indicated that, while Public Works might be capable of handling the demolition internally, they may not be in a position to handle any asbestos abatement.

In response to a question from Mr. Finnerty, Mr. McKain noted that the anticipated timeline would involve demolition beginning in early August for four of the five builings and in September for the fifth, with activities to be completed in December for all five buildings.

Affirmatively Recommended

Enactment No: 07-14-OR

Discussion Topic: Friends of the Park Handbook

The Chair asked that the current version of the handbook be distributed, and indicated that he has some questions and would like to offer the other members the chance to ask any questions taht they may have.

The Chair suggested that there is a balance to be struck between providing guidelines to the Friends Councils and chilling their enthusiasm.

Mr. Palmiere provided a brief overview of the history of the Councils of Friends and the notion of providing them with a handbook to give them some guidance going forward.

Mr. Baechle, Mr. Palmiere and Ms. Means discussed the mechanics of project approval.

Ms. Means reviewed the changes that she requested for the most recent version of the handbook, highlighting the alterations that she feels make the document more readable, together with one alteration relating to use of funds for administrative costs and another relating to the audit requirement, and discussed the rationale behind some of the handbook's provisions.

Mr. Ellenbogen suggested that the Friends Councils should perhaps provide quarterly or monthly updates to the Parks Department and Council delineating what donations have been made in the covered period, and that there should be additional specificity included with regard to the times at which the Controller can review the Friends'

financial records.

Mr. Macey noted that individuals wishing to make tax deductible contributions can do so through the Parks Foundation, and Ms. Means agreed.

The Chair suggested that getting complete agreement from all 15 Council Members may be difficult, and he, Mr. Finnerty, and Ms. Means discussed potential processes to follow for approving the handbook.

Mr. Ellenbogen suggested that the members of the Friends Councils should file ethics/financial disclosure forms annually.

At the request of the Chair, Mr. Barker provided an overview of the procedural choices available to the Committee and Council regarding the handbook, as well as Mr. Ellenbogen's suggestion regarding the filing of ethics forms.

V. Adjournment

The meeting was adjourned at 5:51.