

Allegheny County Council

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Meeting Minutes - Approved

Wednesday, June 25, 2014

5:30 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

Invited Guests:

William D. McKain, CPA-County Manager or Designee

Andrew Baechle-Director, Parks Department, or Designee

Charles Moffatt-Superintendent, County Police

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

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

Mr. Casciato was present from the Department of Budget & Finance.

Mr. Szefi was present from the Law Department.

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

II. Roll Call

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

Members Absent: 1 - Jim Ellenbogen

Members 2 - Barbara Danko and Ed Kress

Non-Members:

III. Approval of Minutes

[8349-14](#)

Motion to approve the minutes of the Parks committee meeting of Allegheny County Council held on June 11, 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

The Chair read the title of the bill and made a motion to amend.

The Chair described his amendment, and Mr. Palmiere seconded.

The Chair, the clerk and Mr. Finnerty discussed the changes to be made by the amendment.

Mr. Finnerty suggested that the provisions relating to washing cars in the parks was likely placed there in order to protect surface water in the parks.

In response to a question from Ms. Means, the Chair noted that the initial tickets would be accompanied by an envelope to allow payment of the fine.

Ms. Means suggested that it may be unfair to prohibit all vehicle repairs in the parks, suggested that the fine perhaps should not be the same for parking improperly as it is for landing an aircraft, and noted that special events such as BMX race weekends may require flexibility in terms of defining parking offenses.

Mr. Finnerty suggested that the original ordinance's wording is preferable to him, and that a \$50 fine should be adequate to accomplish the purpose.

The Chair withdrew his amendment.

The Chair, Mr. Finnerty, Mr. Szefi and Mr. McKain discussed the comparative merits of various fine structures.

Mr. Kress suggested that there may be wisdom in establishing a flat \$50 parking ticket for parking violations only, while leaving the remainder of the ordinance as-is.

Ms. Means moved to reconsider the affirmative recommendation, Mr. Palmiere seconded, and the motion passed with Ms. Means, Mr. Palmiere and the Chair voting in favor, and Mr. Finnerty and Mr. Macey voting against.

Ms. Means moved to amend the ordinance to specify that the graduated fine structure only applies to parking offenses, and Mr. Palmiere seconded. Superintendent Moffatt, Mr. Palmiere, Mr. Kress and Mr. Szefi discussed the interplay between state law and the ordinance in the event of certain offenses. The motion passed unanimously.

Mr. Kress and Ms. Means discussed the merits of flexibility with regard to when to issue tickets or citations.

The Chair, the clerk, Mr. Finnerty, Ms. Means, Mr. McKain and Mr. Szefi discussed the parameters to an amendment to the bill.

Mr. Palmiere moved to amend the fee structure and the effective date, Ms. Means seconded, and the motion passed unanimously.

Amended and Affirmatively Recommended as Amended

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

At the request of the Chair, the clerk read the title of the bill and Mr. Szefi described the rationale behind and the provisions of the ordinance and noted that the value of the two parcels to be traded is approximately equal. Mr. McKain distributed a map showing the area in question.

Mr. Szefi noted that there is a possibility, though not a certainty, that the property that the County is giving up could end up as the site of an access road to a drilling pad in the area, and indicated that the subdivision process would need to be undertaken prior to the transfer.

In response to a question from Ms. Means, Mr. Szefi discussed the reasoning behind trading parcels rather than simply having the Gulicks pay the County for its parcel.

In response to questions from Ms. Means, Mr. Szefi indicated that the lease agreement between the County and Range Resources has not yet been executed, but that he is not aware of any relationship between the land trade and lease execution.

In response to a question from Ms. Means, Mr. Szefi noted that the property to be acquired by the County may be subject to an existing gas lease, and the implications thereof.

Mr. Finnerty expressed support for the trade, and suggested that, if there are concerns about the uses to which the property could be put, conditions could be added to the ordinance.

In response to a question from Ms. Heidelbaugh, Mr. Szefi noted that the property to be acquired by the County is contiguous with Deer Lakes Park, while the property to be acquired by the Gulicks lies across Fairfield Road from the park.

In response to a question from Ms. Danko, Mr. Szefi reiterated that the property acquired by the Gulicks may be the location of an access road for a drilling pad in the area, and noted that Fairfield Road is an attractive access point for Range Resources, insofar as it provides relatively easy access to Route 28.

In response to a question from Ms. Heidelbaugh, Mr. Szefi indicated that the request for the transfer came from Mr. Gulick, and that he has no personal knowledge of Range Resources requesting that he do so.

Ms. Heidelbaugh and Mr. Szefi discussed the possibility of Huntley & Huntley's involvement creating a conflict of interest with respect to the Chair.

Mr. Finnerty expressed support for the ordinance.

In response to a question from Ms. Danko, Mr. Szefi indicated that the intent is to incorporate the property acquired by the County into the park.

Ms. Heidelbaugh and Mr. Szefi discussed the logistics of access road siting.

Mr. Macey moved to affirmatively recommend, Mr. Finnerty seconded, and the motion passed with the Chair, Mr. Finnerty, Mr. Macey and Mr. Palmiere voting in favor, and Ms. Heidelbaugh and Ms. Means voting against.

Affirmatively Recommended

Enactment No: 10-14-OR

8337-14

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance Nos. 07-06 and 31-08, the existing schedule of facility and recreational rates and fees for the use of County recreational and park facilities.

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

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

The Chair moved to amend the bill to establish a discounted rate for Boyce Park lift tickets on Wednesday nights, and Mr. Macey seconded.

Mr. McKain described the rationale used to arrive at the proposed fee structure.

The Chair explained the reasoning behind the introduction of the bill.

In response to questions from Ms. Means, Mr. Baechle indicated that the County is not paying sewage fees for using municipal water to make snow at the ski slopes, and Mr. McKain noted that the ski slopes have resulted in a new operating loss in past years. Mr. Baechle discussed the rationale behind offering season passes in the proposed format.

Ms. Means and Mr. McKain discussed the uncertainty in budgeting occasioned by the dependence of skiing upon weather.

Ms. Heidelbaugh suggested that raising the fees could ultimately be found to be a tax, rather than a fee, depending upon how the parks accounting is viewed and whether the parks operate at a loss or a profit, and that her preference would be to make the fees lower in the parks based on the numbers that she has seen, particularly when it is remembered that the parks are often utilized by individuals of more limited means.

Mr. McKain described the funding streams that are available to the County parks operations.

In response to a question from Mr. Macey, Mr. Baechle noted that the cost of operating the parks continuously increase.

The motion to adopt the Chair's amendment passed unanimously.

In response to a question from Ms. Means, Mr. Baechle noted that the County contracts for snow production, but not for other services at the ski slopes.

Ms. Means and Mr. Baechle discussed the possibility of increased fees reducing patronage of the ski slopes.

In response to a question from Mr. Kress, Mr. McKain discussed lift ticket prices at private resorts in the area.

Mr. Kress and Mr. McKain discussed the relevance of population density to fees.

Amended and Affirmatively Recommended as Amended

Enactment No: 11-14-OR

V. Adjournment

The meeting adjourned at 7:43.