

**LATROBE CITY COUNCIL  
TUESDAY JANUARY 2, 2024  
REGULAR COUNCIL MEETING  
LATROBE, PENNSYLVANIA**

Mayor Bartels called to order the Regular Meeting of Latrobe City Council at 6:42 P.M.  
Mayor Bartels asked all for a moment of silence.

Deputy Mayor Ralph Jenko – present  
James Kelley – present  
Ann Amatucci – present  
Bridget DiVittis – present  
William Yuhaniak – present  
Dawn Vavick - absent  
Mayor Eric Bartels – present

Also, present were the following: Bernard Matthews, Acting Solicitor; Scott Wajdic, Public Works Director; Terry Carcella, City Manager; Dan Weimer, Code/Zoning Officer; Richard Bosco, Chief of Police.

A Motion was made to table the December 11, 2023, Meeting Minutes for approval until January 22, 2024, meeting. Mrs. Amatucci made a motion seconded by Mr. Jenko. Motion carried 6-0.

A Motion was made to table the Fiscal Department reports and Payroll until January 22, 2024, meeting. Mrs. DiVittis made a motion seconded by Mr. Yuhaniak. Motion carried 6-0.

**CITIZENS' REQUEST (related to agenda)**

None.

**COMMITTEE ASSIGNMENTS BY MAYOR BARTELS**

Public Safety & Fire Committee – Kelley, Vavick  
Finance Committee – Bartels, Jenko, Kelley  
Public Works Committee – DiVittis, Vavick  
Personnel Committee – Bartels, Jenko  
Renovation Committee – Jenko, Yuhaniak, Amatucci  
Events Committee – Amatucci, Yuhaniak, Vavick  
GLSD Student Showcase Committee – Bartels, DiVittis

**COMMITTEE REPORTS**

Finance Committee – Bartels, Jenko, and Kelley – No report.

Public Safety and Fire Committee – Forish, Kelley – No report.

Public Works Committee – Forish, DiVittis – No report.

Personnel Committee – Bartels, Jenko – No report.

Renovation Committee – Jenko, Yuhaniak – No report.

Events Committee – Mrs. Amatucci – No report.

GLSD Student Showcase Committee – Bartels, DiVittis – No report.

## **BOARD AND AUTHORITY REPORTS**

Parks and Recreation – Mayor Bartels reported that Parks and Recreation met the third Thursday of December 2023, and at that meeting they approved the budget and the application and designation for PLGIT funds. Our board is not necessary for them to make those moves. The budget passed, but with a deficit. The Director of Parks and Recreation was given approval to move \$24k from their reserve funds to make up the difference for 2024. January 6, 2024, is the third annual Polar Plunge.

Library – Mrs. DiVittis reported that the Library Board had a meeting on November 15, 2023, which was their first meeting in quite a few months. Their annual letter for fundraising was sent out. The Library asked that everyone consider donating to help with their many programs. They spoke highly of the Chief of Police for all his help in getting all the cameras up and operating. Rogers McFeely Foundation helped the library to get all new hard drives for them and with the leftover money they are purchasing some new computers. Mrs. DiVittis also reported that online use and foot traffic are up by leaps and bounds. Programs are going well. They had a lot of success with the city programs as well. The summer theme this year is “Adventures Start Here”. The next meeting is scheduled for February 21, 2024. The budget was approved, but they had to pull money from their endowments. The library also had a payroll increase for their employees.

## **REPORTS OF CITY OFFICERS FROM SEPTEMBER 2023**

**Treasurer’s Report** See attachment “A”

**Police Report** See attachment “B”

**Public Works Report** See attachment “C”

**Fire Report** See attachment “D”

**Code Report** See attachment “E”

**Tax Collector’s Report** See attachment “F”

## **DEPARTMENT REPORTS**

### Public Works Department

Public Works Director, Scott Wajdic – Mr. Wajdic asked the council if they had any questions regarding his report. Mr. Wajdic also reported that the Public Works department is still picking up leaves that may have been missed during the holiday break, and some are still being put out at curbside. He is working on some Stormwater projects. The Transfer Station started taking Christmas trees for recycling. Mrs. DiVittis asked when Fairmont Street will be done, and Scott replied that the work right now is the gas line portion, and they will temporarily put patch down. The sidewalks will be repaired in the spring, and the Ligonier and Fairmont streets on the lower section will be repaired also. Mr. Wajdic requested to have access to the control box for street and traffic lights which is located inside of the fence that the library has control of.

### Police Department

Police Chief, Richard Bosco – Chief Bosco reported that the department had 585 police interactions, 2 arrest warrants, 2 overdose investigations 21 criminal arrests, 2 death investigations, 3 search warrants filed.

### Fire Department

Fire Chief, John Brasile – Chief Brasile was absent and will give his December 2023 report on January 22, 2024. Mayor Bartels gave condolences to the chief for the loss of his mother.

## Code/Zoning Department

Code Enforcement Officer, Dan Weimer -- Mr. Weimer reported that 11 permits were issued in the month of December 2023 with 106 calls, 5 complaints, 2 QC tickets issued, 6 unfounded, 10 pending corrections, 2 pending month of December 2023. The total number of pending corrections was 12, two were corrected by the Code office.

Mrs. DiVittis asked Dan for an update on 333 Main street, Dan replied that they are on his report and that 2 of the 5 were 333 Main Street. Mrs. Amatucci asked what the violations were, Dan replied that a toilet was leaking, and the apartment below had ceiling tiles fall due to the leak. The owner corrected both issues within a day.

There was much discussion regarding 333 Main Street. Acting Solicitor, Bernie Matthews responded with the following legal actions that the city can take:

1. Force the violations with penalties and fines (traditional way).
2. Any code that addresses public health, safety and welfare, the city can ask for an injunction in court with a cost to the city.
3. The city can force our code through injunctive relief requiring that the owner take certain steps to cure the violations of your code.

Tenants have multiple civil options they can take on their own without the city being involved. If the tenant can not afford a lawyer they can call the Westmoreland Bar Association, and they can help find them a lawyer. Mr. Matthews suggested that the council sit down with himself and Lee to decide what code violation can be served. Mr. Matthews went on to say that the city can file a Code Enforcement action with the District Justice. The Common Pleas Court is the only court that has jurisdiction to give injunctive relief and you would have to have a hearing. Due process is given to the owner if anything affects her property. Members of council feel that the city should be moving more quickly on the matter. When you file a motion to schedule a hearing, this is where you will be at the mercy of the judge's schedule.

Mr. Matthews stated that the city needs to first file a civil complaint alleging a violation of your code. Once the complaint is filed then you will need to file a motion to schedule a hearing. The city will have a high burden of proof and the Judge will ask how if we have a resolution to the problem. The city can also resolve the matter without a formal court hearing and reduce it to a consent order.

The Mayor listed action steps:

1. Email her January 3, 2024, to let her know what we are talking about and try to move the date up for the inspection.
2. Do a walk through with the School District Superintendent.
3. Talk to Lee tomorrow to start putting together a plan on how we can pursue the legal action that the city wants.

Mr. Matthews suggested to the council to pass a motion tonight, because it involves property or life safety. Also, Mr. Matthews instructed Dan to inform the owner that the council has already authorized the solicitor to move forward with appropriate injunctive relief as needed to remediate this problem, so that council was able to pass the motion on that evening.

## **PERSONNEL:**

## **MOTION**

Motion to Approve Scott Wajdic Contract. Mrs. Amatucci made a motion, seconded by Mr. Jenko. Motion carried 6-0.

## **MOTION**

Motion to Approve Karen Meholic, City Secretary Contract. Mr. Kelley made a motion, seconded by Mr. Yuhaniak. Motion carried 6-0.

## **MOTION**

Motion to make appointments to Westmoreland County Tax Collection Committee. Mr. Carcella explained that this has not been done in a while, and that council needs to appoint a delegate and an alternate with this motion. Mayor Bartels made a motion to appoint the city manager as the delegate and the finance director as the alternate. Motion was seconded by Mr. Jenko. Motion carried 6-0.

## **ADMINISTRATION DEPARTMENT**

## **MOTION**

Motion to Approve 2024 Council Meeting Schedule Revision. Mr. Carcella explained the revision purpose for the agenda. The city changed the meeting on January 22, 2024, to a regular meeting and the executive session to follow. As we are doing tonight, we have the regular meeting with the agenda session to follow. This is the only time that this will be done this year because we are not having a meeting on January 8, 2024. Primarily we do not have the financials which will be ready at the January 22, 2024, meeting. Mr. Yuhaniak made a motion, seconded by Mrs. DiVittis. Motion carried 6-0.

## **MOTION**

Motion to Amend the 2024 Budget. Mr. Carcella explained why corrections need to be made to the 2024 Budget. The STMP Committee gave their recommendations for the budget the same day it was approved. Mr. Carcella will draft an ordinance for the January 22, 2024, meeting to approve the amended version of the budget.

Mr. Kelley made a motion, seconded by Mr. Yuhaniak. Motion carried 6-0.

## **MOTION**

Motion to Re-Appoint Kathleen Kelley to the Planning Commission for a four-year term to expire in 2028. Mr. Yuhaniak made a motion, seconded by Mrs. Amatucci. Motion carried 6-0.

## **MOTION**

Motion to Re-Appoint Eric Cosby to the Zoning Hearing Board. This is a five-year term set to expire in 2029. Mr. Kelley made a motion, seconded by Mr. Yuhaniak. Motion carried 6-0.

## **MOTION**

Motion to Appoint Tim Whitehouse to fill a vacant position. This is a five-year term set to expire in 2029. Mrs. DiVittis made a motion, seconded by Mr. Kelley. Motion carried 6-0.

The Mayor commented that the Civil Service Commission vacancy will be decided at another meeting.

## **MOTION**

Motion to Re-Appoint Charles Dominick to the Industrial Development Authority for a five-year term set to expire in 2029. Mr. Yuhaniak made a motion, seconded by Mr. Kelley. Motion carried 6-0.

## **MOTION**

Motion to Re-Appoint Mayor Bartels to the Park and Recreation Board this is a three-year term set to expire in 2027. Mr. Kelley Made a motion, seconded by Mrs. Amatucci with Mayor Bartels abstaining from the vote. Motion carried 5-1.

## **MOTION**

Motion to Re-Appoint Mr. Fenton to Latrobe Municipal Authority for a five-year term set to expire in 2029. Mrs. Amatucci made a motion, seconded by Mrs. DiVittis. Motion carried 6-0.

## **MOTION**

Motion to Re-Appoint Mr. Fournier to Latrobe Municipal Authority for a five-year term set to expire in 2029. Mr. Yuhaniak made a motion, seconded by Mrs. DiVittis. Motion carried 6-0.

## **PLANNING AND DEVELOPMENT**

### **MOTION**

Motion to amend for approval Resident Parking Discount. The resident discount was omitted accidentally council took to motion to correct the ten percent discount. Mr. Jenko made a motion, seconded by Mr. Kelley. Motion carried 6-0.

## **NEW / UNFINISHED BUSINESS**

### **MOTION**

Amend the agenda to approve our solicitor to work with the Code Enforcement Officer and Police Department to gather and collect evidence of the violations of the city code that are causing immediate adverse impact on life and property regarding the property at 333 Main Street. The city council authorizes the city solicitor to prepare all necessary and appropriate court pleadings to obtain injunctive relief and remedial action regarding those violations at 333 Main Street. Mr. Jenko made a motion to amend the agenda to approve the motion as outlined by our solicitor, seconded by Mrs. Amatucci. Motion carried 6-0.

### **MOTION**

Motion to approve the motion read our solicitor. Mr. Yuhaniak made a motion, seconded by Mrs. DiVittis. Motion carried 6-0.

Mrs. Amatucci states that there is a committee that has been working on health and safety considering everything that has been going on with different buildings. She stated that she was asked if the city council would consider forming a committee that would report to the city council with their findings. Mr. Matthews discouraged the council from forming the committee. He explained that the city would basically be creating a color of law that empowers this committee, which could violate people's rights and that would fall back on the city.

Solicitor's Report – No report.

## **CITIZEN'S REQUEST**

None.

City Manager's Report

No report.

Mayor's Report

No report, but stated he is looking forward to a great 2024.

The Regular Meeting of Council adjourned at 8:20 P.M with a motion by Mr. Jenko seconded by Mr. Yuhaniak. All in favor.

Respectfully Submitted,



Karen Meholic, City Secretary