
Minutes of the Borough Council Zelienople, PA

2/22/2021

7:30 PM Council-Workshop

MasterID:

690

The February 22, 2021 Council Meeting of the Zelienople Borough Council was called to order at 7:30 PM by Council President Allen Bayer in the Council Chambers located at 111 W New Castle St., Zelienople PA 16063. This meeting was held in a limited in-person environment as well as remotely through the WebEx technology due to the coronavirus pandemic situation and to comply with the Governors order to limit in person public meetings. It still complied with all rules of advertisement and the public had access to the meeting and was able to participate. In-person attendance were council members, Allen Bayer, Andrew Mathew III, Mary Hess, Doug Foyle, Marietta Reeb, and Mayor Thomas Oliverio. Attending remotely was council members Gregg Semel and Ralph Geis.

Also, in attendance were Assistant Borough Manager Andrew Spencer and Chief James Miller. Attending remotely was Solicitor Bonnie Brimmeier, Public Works Director Chad Garland, and Borough Engineer Dan Goncz.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chad Garland.

VISITORS

In Person: Adel Fatur, Zachary Shumaker, Fiore Moletz, and Matthew Edwards

Remotely: Amy Marcinkiewicz, Alex Weidenhof, and Ty Laughin

PUBLIC COMMENT:

- Amy Marcinkiewicz introduced herself as candidate for District Judge.
- Adel Fatur presented the "Patriotic Porch Tour" on behalf of the Zelienople Historical Society.

CONSENT AGENDA:

A motion was made by Mrs. Hess, seconded by Mr. Geis, to approve:

- Minutes of the February 8, 2021 Council Meeting
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed

Motion carried 7-0.

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OLD BUSINESS:

None

NEW BUSINESS:

CONSIDER REMOVAL FROM PROBATIONARY STATUS AND MOVE TO REGULAR PART TIME STATUS FOR MICHAEL PETRIE

A motion was made by Mrs. Hess, seconded by Mr. Semel to place Michael Petrie on regular part-time status, effective March 2, 2021. Mr. Petrie was hired on March 2, 2020 on a probationary status as a Part Time Police Officer for the Borough. During his probationary period, Officer Petrie has proven himself to be a great asset to the police department. He has successfully completed all his assignments and duties in a professional manner.

Motion carried 7-0

CONSIDER APPROVAL OF PROPOSED RESOLUTION #450-21 RE-ESTABLISHING CHECK SIGNING SIGNATURES TO ALL OF THE ZELIENOPE BOROUGH FUNDS

A motion was made by Mr. Mathew, seconded by Mrs. Reeb to re-establish check signing signatures for Borough funds. Proposed Resolution # 450-21 is prepared for that purpose. It is recommended that Assistant Borough Manager Jill Stedina name is removed, and Assistant Borough Manager Andrew Spencer name is added to the list already established in Resolution #427-20 and listed in proposed Resolution #450-21 and furthermore, that Council consider adoption of proposed Resolution #450-21 as provided.

A full and true copy of Resolution #450-21 can be found in the Resolution Book.



Assistant Borough Manager

Motion carried 7-0

CONSIDER ZELIENOPE HISTORICAL SOCIETY'S REQUEST FOR A PATRIOTIC PORCH DECORATING CONTEST

A motion was made by Mrs. Hess, seconded by Mr. Foyle to authorize the Zelienople Historical Society to sponsor a Patriotic Porch Decorating Contest for the Borough of Zelienople residents and businesses from July 1, 2021 through July 8, 2021 and place flag decorations in the four-corners

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park, including the gazebo, providing sidewalks are not obstructed and no line-of-sight obstructions are created with vehicular traffic.

Motion carried 7-0

CONSIDER ESTIMATE #1 TO THE CONSTRUCTION (CONTRACT 20-1) PHASE 2 MAIN STREET PROJECT

A motion was made by Mrs. Hess, seconded by Mr. Geis to approve of Main Lite Electric Company Inc. Estimate No. 1 in the amount of \$199,458.00 for the Zelienople Borough Streetscape Project Phase 2 Electric Utility Aerial Line Work (Contract 20-01). The work has been completed. After payment by the Borough, the pay request will be submitted to DCED for reimbursement.

Motion carried 7-0

SENECA VALLEY SEALS GROUP PLANTING REQUEST

A motion was made by Mr. Mathew, seconded by Mrs. Reeb to approve the request from the Seneca Valley SEALS organization to carry out a beautification project at the Town Center Parking Lot and the Community Park to include planting native wildflowers, such as Blazing Star, Butterfly Milkweed and Lance Leaf in public areas with the following conditions:

- The Borough is to provide areas for plantings at the Town Center Lot.
- They coordinate with the Public Works Director to obtain cones and barricades for work area safety.
- They ensure that the area is cleaned of any trash and debris when the event is completed.
- This is not a Borough sanctioned or sponsored event, so they are solely responsible for adhering to all COVID-19 safety rules that apply at the time of the event.

Motion carried 7-0

CONSIDER AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE #874-21 TO AMEND THE ZELIENOPLE CODE CHAPTER 174, "PEACE AND ORDER", BY ADDING "ALCOHOLIC BEVERAGE" UPON ANY PUBLIC ACCESS PROPERTY AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF

A motion was made by Mr. Semel, seconded by Mr. Geis to approve the advertisement of proposed ordinance No.874-21 amending Chapter 174, "Peace and Order" by adding "Alcoholic Beverage Upon Any Public Access Property and to Provide Penalties For Violation Thereof." During the past year Zelienople has experienced an increase in outdoor activities which included the sales and consumption of alcoholic beverages along the Main Street area. Some verbal complaints were received about used beer cups laying on the street and the appearance of persons drinking beer

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along Main Street takes away from the Family Friendly environment that Zelienople is known to provide. The Liquor Control Bureau was contacted for recommendations. The LCB only controls the sale of alcohol but does not regulate consumption in public areas and they mentioned that communities have enacted so called "Open Container" ordinances to help control the use and behavior associated with consuming alcohol in public places. The proposed ordinance does regulate the consumption of alcohol on our public areas but does provide exceptions where special events can have alcohol consumed in designated areas. Additionally, the proposed ordinance does not affect any approved sale of alcohol by a vendor licensed by the LCB. Approved beer or wine cart vendors can sell their products, but the product must be in a covered container and taken to an approved area to be consumed. The purchaser cannot just walk away and drink the beverage walking onto a public area. It should also be noted that Pennsylvania does have an open container law that pertains to open alcoholic beverage containers in motor vehicles. The proposed ordinance has been reviewed by the Borough Solicitor, PMC and Chief of Police.

Matthew Edwards and Zach Shumaker offered public comments on proposed Ordinance 874-21, amending Chapter 174, "Peace and Order". Chief Miller offered further clarification on the proposed ordinance before the motion was put to a vote.

Motion carried 7-0

CONSIDER AUTHORIZATION TO ADVERTISE PROPOSED ORDINANCE #875-21 TO AMEND THE ZELIENOPLE CODE CHAPTER 174, "PEACE AND ORDER", BY ADDING "SPECIAL EVENT PERMIT" UPON ANY PUBLIC ACCESS PROPERTY AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF

A motion was made by Mrs. Hess, seconded by Mr. Foyle to approve the advertisement of proposed ordinance No.875-21 amending Chapter 174, "Peace And Order" by adding "Special Event Permit" Upon Any Public Access Property And To Provide penalties For Violation Thereof. During the past year Zelienople has experienced an increase in outdoor activities where individuals or groups have come before the Borough Council asking for approval to hold these events. Currently the Borough does not have procedures or regulations in place to guide the Borough or event sponsors through the approval process. The PMC met late last fall to discuss this matter. It was decided the Chief of Police should research this issue and report his findings and suggestions to the PMC sometime at the beginning of 2021. The main goal of this research was to find solutions for our event approval process and to address any liability the Borough may have in regard to approving events. The PMC did meet on February 11, 2021 to review the research information provided by the Chief which included a proposed new ordinance covering special event approvals and a proposed event permit application. The proposed new ordinance No. 875-21 has been reviewed by the PMC and the Borough Solicitor. In addition, the Assistant Borough Manager was contacted concerning our insurance liability since he is our main contact for our liability insurance carrier. Andrew advised our carrier requires the Borough

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to be added as an insured on to event sponsor's insurance policy. The new ordinance and permit application will provide a uniform procedure for all event requests.

Motion carried 7-0

OTHER BUSINESS:

COUNCIL REQUEST FOR INFORMATION & FACILITY MAINTENANCE REPORT

Council reviewed the request for information list as provided in the agenda and updated items as deemed necessary.

MONTHLY COMMITTEE REPORTS:

Mrs. Hess:

- Gave an update on the regional stormwater group. Noted progress and work is being done collaboratively in the region.
- Main St. Revitalization Committee: Noted communications to the public should be made regarding phase II of the Main Street Revitalization project by posting notifications to the Borough website/social media based on a status report from the Borough Engineer.

Mr. Semel:

- COG: No report
- Main St. Revitalization Committee: No report
- Airport Authority: Interviews for the board vacancy has been successful and a recommendation is forthcoming for appointment. Noted that the airport has a new website.
- IT: Noted that the Zelienople App is being worked on and the eGift card program is moving forward with great success.

Mr. Geis:

- Electric: Noted that the electric bills will include a flyer on the AMI meter installation
- Building/Finance: No report
- Pension: No report

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Mr. Foyle:

- Pension Committee: No report
- Library: No report

Mrs. Reeb

Safety Committee: Noted that the streets have been well maintained this winter; job well done by public works.

Historical Society: No report

Shared Services: No report

Mr. Mathew:

Water Committee: Noted the AMI flyer in the utility bills will include information for both electric and water meters

EMA: No report

Fire Dept. Liaison: No report

Shared Services: No report

Mr. Bayer:

- HRC: Noted meeting on Wednesday, February 24th
- PMC: Noted meeting previously held relating to personnel

Mayor Oliverio:

- Noted that a check in his possession was turned over to Council and Borough staff from the Butler County Housing Authority

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Borough Manager:

- Not present

Solicitor:

- No report

Engineer:

- No report

Chief Miller:

- No report

Public Works Director:

- Noted the use of 600 tons of material during snow removal to date this winter

Zoning & Codes Officer:

- Not present

Parks & Recreation Director:

- Not present

Council President Bayer requested an executive session on a personnel item and Councilman Semel and Assistant Borough Manager Spencer requested an executive session on a pending contract item.

The meeting was recessed at 8:59 PM.

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Council went into executive session at 9:10 PM and returned at 9:30 PM.

CONSIDER CIVIL SERVICE TO PROVIDE A CERTIFIED PROMOTIONAL LIST TO MOVE A POLICE OFFICER FROM PART-TIME TO FULL TIME STATUS

A motion was made by Mrs. Hess, seconded by Mr. Geis, to accept PMC recommendation for the Civil Service Commission to provide a certified promotional list to move a police officer from part-time to full time status.


Motion passed 7-0.

Being no further business, President Bayer closed the meeting at 9:31 PM.

ATTEST:

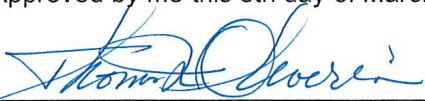


Assistant Borough Manager



Council President

Approved by me this 8th day of March, 2021.



Mayor