
Minutes of the Borough Council Zelienople, PA

10/11/2021

7:30 PM Council-Regular

MasterID:

707

The October 11, 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 an in-person environment as well as remotely through the WebEx technology due to the coronavirus pandemic situation and to comply with the safety of all concerned. 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, Gregg Semel, Marietta Reeb and Mayor Thomas Oliverio. Council Member Ralph Geis attended remotely.

Also, in attendance were Borough Manager Donald Pepe, Police Chief James Miller, Public Works Director Chad Garland, Zoning & Codes Officer Jason Sarver, and Borough Engineer Tom Thompson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Marietta Reeb.

VISITORS

In Person: Nancy Sentgeorge, Carol Sosak, Michale Sosak, Mare Miller, Adel Fatur, Jim Hulings, Christine Patton, Vallssa Fatur, Bob Budny, Lynn Grinder, Jan Maharg, Jerry Maharg, Cathy Baker, Marsha Grabowski, Krinten Hogan, Brian Beighey, Jesse Hogan, Neil Jackson, Alex Weidenhof, Butler Eagle.

Remotely: Jeff Peters, Amy Wanchisn, Debra, Donna Statzer, Kirsten, Tony Corridoni

Don Pepe recognized Chad Garland for 25 Years of Service

2020 Volunteer of the Year award was presented to Adel Fatur

PUBLIC COMMENT:

- Marsha Grabowski spoke as part of the public comment on the recent public hearing topic.
- Mr. Semel made comments on the public ordinance development, the public hearing content, and The misconceptions of the public regarding the proposed zoning ordinance.
- Mr. Mathew thanked the community for their input at the October 4, 2021, public hearing and made comments regarding the misinformation some members of the public have regarding this issue and noted his disappointment at the untrue accusations made of council and staff

Minutes of the Borough Council Zelienople, PA

10/11/2021

7:30 PM Council-Regular

MasterID:

707

-Mary made a statement to the public regarding the proposed zoning ordinance and council's desire to work with all parties to arrive at the best legislation possible for the borough.

CONSENT AGENDA:

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

- Minutes of the September 27, 2021, Council Meeting
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed

Motion carried 7-0.

OLD BUSINESS:

None

NEW BUSINESS:

CONSIDER ACCEPTANCE OF THE BILLS TO BE PAID FOR THE MONTH OF OCTOBER IN THE AMOUNT OF \$987,504.35

A motion was made by Mr. Mathew, seconded by Mr. Foyle to accept, and approve the "Bills to Be Paid" report for October in the amount of \$987,504.35.

Motion carried 7-0

CONSIDERATION FOR ADOPTING RESOLUTION #457-21 FOR THE WBCA HARMONY PUMP STATION INFRASTRUCTURE IMPROVEMENTS PROJECT PLANNING MODULE COMPONENT 3 AND EXECUTING THE CHECKLIST AND TRANSMITTAL LETTER

Administration recommended council to review the Harmony Pump Station Infrastructure Improvements Project Planning Module Component 3 provided by the Western Butler County Authority (WBCA) Planning Module Component 3 to determine if any further details are required prior to action of the four member municipalities. The project includes the following:

- Upgrading the existing Harmony Pump Station to increase the capacity from 3.17 MGD to 5.76 MGD.
- Upgrading 1,360 LF of the Harmony Junction interceptor
- Upgrading 7,200 LF of the Scholars Run interceptor
- Adding 1,900 LF of 12" peak flow force main along Division Street

Minutes of the Borough Council Zelienople, PA

10/11/2021

7:30 PM Council-Regular

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707

- Adding 6,760 LF of gravity upgrades along Spring Street to Jefferson Street and then to Front Street.

The Planning Commission has reviewed the project and provided a letter dated September 30, 2021, requesting additional information. Since their review was associated with the planning for the project, administration thought it would be best to see if Council had any additional questions or concerns that should be asked before acting on the documents. The Planning Module Component 3 documents can be viewed at the following link <https://hrg3.app.box.com/s/sb0qg4qwpj57m0tu0adkcdm7hnuyx5cx>

This item was tabled to a future meeting with the anticipation of WBCA answering the questions raised by the Planning Commission and from the recent multi municipal joint meeting regarding this subject.

CONSIDER SPECIAL EVENT PERMIT APPLICATION– MIRACLE ON MAIN STREET

A motion was made by Mrs. Hess, seconded by Mrs. Reeb to approve the Special Event Permit Application for the Miracle on Main Street provided by Donna Zeigler, representative on behalf of the Zelienople Area Business Association, to be held on December 2, 2021 from 4:00 PM to 8:00 PM along Main Street provided that the responsible party noted in the application coordinate communications with and be responsive to the Chief of Police and Public Works Director as needed and comply with the Borough of Zelienople's Special Event Rules, Code of Ordinances Chapter 174, Special Events and Alcoholic Beverages, Parades & Public Gatherings & all applicable Federal, State, and Local laws. The Miracle Main Street Events and activities are listed below:

- Extension of Thursday Nights Main Street events through the holidays (Currently approval for the Thursday event expires November 1, 2021).
- Miracle on Main Street - December 2, 2021
- Santa House during the Christmas season

Motion carried 7-0

CONSIDER SPECIAL EVENT PERMIT APPLICATION– HOLIDAY PARADE AS PART OF MIRACLE ON MAIN STREET

A motion was made by Mr. Semel, seconded by Mrs. Reeb to approve the Special Event Permit Application for the Holiday Parade (as part of the Miracle on Main Street) provided by Neal Jackson, representative on behalf of the Zelienople Area Business Association, to be held on December 2, 2021 from 6:30 PM to 7:00 PM in the Main Street business district provided that the responsible party noted in the application coordinate communications with and be responsive to the Chief of Police and Public Works Director as needed and comply with the Borough of Zelienople's Special Event Rules, Code of Ordinances Chapter 174, Special Events and Alcoholic Beverages, Parades & Public Gatherings & all applicable Federal, State, and Local laws and with the following conditions:

- Coordinate this event with the Miracle on Main Street event and the Thursday Night Open Air Market.

Minutes of the Borough Council Zelienople, PA

10/11/2021

7:30 PM Council-Regular

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707

•The Zelienople Area Business Association is responsible to advise all parade participants that throwing candy from vehicles or from the street is strictly prohibited, participants may distribute candy by walking alongside of the curbs and handing it out to spectators.

The Borough will apply for the parade permit from PA DOT on their behalf.

Motion carried 7-0

CONSIDER SPECIAL EVENT PERMIT APPLICATION – NEIGHBORHOOD BLOCK PARTY

A motion was made by Mr. Mathew, seconded by Mr. Foyle to approve the Special Event Permit Application for a Neighborhood Block Party provided by Mary Kay Tappe, representative, to be held on Saturday, November 6, 2021 from 12:00 pm to 8:00 pm on Pennsylvania Avenue between East Spring and Beaver Streets provided that the responsible party noted in the application coordinate communications with and be responsive to the Chief of Police and Public Works Director as needed and comply with the Borough of Zelienople's Special Event Rules, Code of Ordinances Chapter 174, Special Events and Alcoholic Beverages, Parades & Public Gatherings & all applicable Federal, State, and Local laws and with the following conditions:

- Sponsor must notify all affected neighbors of the road closure on Pennsylvania Avenue between East Spring and Beaver Streets.
- The Borough is agreeing to close the road as stipulated for their event.
- Be responsive to complaints on noise.
- Should a second complaint be received all music will be shut down.
- They coordinate with the Street Department to obtain cones, barricades, and signs for street closure and coordinate with the Police Department for safety concerns, no later than Monday prior to the event.
- Responsible party is liable for the return of any Borough owned cones, barricades, signs, etc. and must sign a release form for the use of such borough owned property.
- 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 SPECIAL EVENT PERMIT APPLICATION– PATRIOTIC PORCH TOUR AND TRAVELING TOMB OF THE UNKNOWN SOLDIER

A motion was made by Mrs. Mathew, seconded by Mr. Semel to approve the Special Event Permit Application for the Patriotic Porch Tour and Traveling Tomb provided by Adel Fatur, representative on behalf of the Zelienople Historical Society, to be held on July 2, 2022, through July 6, 2022, at the Four Corner Park by the Lion Water Fountain provided that the responsible party noted in the application coordinate communications with and be responsive to the Chief of Police and Public Works Director as needed and comply with the Borough of Zelienople's Special Event Rules, Code of

Minutes of the Borough Council Zelienople, PA

10/11/2021

7:30 PM Council-Regular

MasterID:

707

Ordinances Chapter 174, Special Events and Alcoholic Beverages, Parades & Public Gatherings & all applicable Federal, State, and Local laws.

Motion carried 7-0

CONSIDER PENNSYLVANIA MUNICIPAL ELECTRIC ASSOCIATION (PMEA) BOARD SEAT APPOINTMENT

A motion was made by Mrs. Reeb, seconded by Mrs. Hess to appoint the Borough Manger Donald Pepe, to act as the borough representative on the PMEA board of directors for the term of the board seat but a change can be made in the future if needed.

In September of this year, PMEA held its annual conference in State College and three association board seats (3-year terms) were open for election. Zelienople Borough has been a board member for some time and the borough was again elected by the membership to fill one of the board members positions. While the borough retains the seat, the borough council must appoint a person to fill the role of board member.

Motion carried 7-0

OTHER BUSINESS:

DISCUSSION ON HOW TO PROCEED WITH THE PROPOSED VILLAGE ORDINANCVE RELATING TO THE GLADE RUN PROPERTY

Administration provided council the below recommended course of action to allow for clarification of issues to avoid public misunderstanding, to set a tone of cooperation with all pertinent and interested parties to arrive at an acceptable and legal piece of legislation for the benefit of the community.

Now that the public hearing and public input sessions are completed, it is time to begin a process on how to proceed with zoning on the Glade Run property in question. Proposed Ordinance # 878-21. We need to make it clear that we heard from both the interested public and the vested property owner on this matter and that the borough, through staff, professional expertise, the Planning Commission, and council, must now have a plan for taking a constructive next step in providing an ordinance to address the property that is in planning for development.

Minutes of the Borough Council Zelienople, PA

10/11/2021

7:30 PM Council-Regular

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In the best interest of all parties, first and foremost the borough as a whole, we propose the following steps to be taken.


- Provide the public additional clarification on all relevant components of the issue so there is a clear understanding of what is required of the borough and what actions have been taken thus far.
- Clearly outline that the proposed ordinance does not have all the pieces of the puzzle as the public may be thinking, there are other ordinances and regulations in place that address these points.
- Evaluate all public input to this issue and to let all parties know that the borough indeed has listened and will use this input as it moves forward in the process.
- Open dialog with all parties, property owner and their representative, public action groups, staff, professional experts, Planning Commission and Borough Council to begin a review of an ordinance that will work for the community.
- Begin the appropriate review with the Planning Commission to set the goal as to what the ordinance should include and how to address the pertinent issues raised.
- Prepare a new draft for public review, comment etc.
- Hold an additional public hearing on a newly constructed ordinance
- Have a new ordinance on the council agenda for review in December of early January 2022.

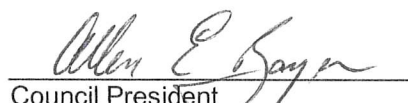
Our Solicitor on this issue Bill Sittig, provided additional written guidance to the council relating to the process and how to proceed.

There was not a formal vote on this issue needed at this time.


Being no further business, President Bayer closed the meeting at 8:35 PM.

ATTEST:


Borough Manager


Council President

Approved by me this 25th day of October 2021.


Mayor