

Minutes of the Borough Council Zelienople, PA

10/30/2023

7:30 PM

Council-Regular

MasterID: 757

The October 30, 2023, Council Meeting of the Zelienople Borough Council was called to order at 7:27 PM by Council President Mary Hess 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 to allow for offsite participation. It still complied with all rules of advertisement and the public had access to the meeting and was able to participate. In-person attendants were Council Members Mary Hess, Andrew Mathew III, Marietta Reeb, Gregg Semel, Doug Foyle, and Mayor Thomas M. Oliverio. Junior Council Member Kyra Fazio was also present. Council Member Ralph Geis attended virtually. Council Member Spencer Mathew did not attend.

Borough Manager Andrew Spencer, Borough Solicitor Bonnie Brimmeier, Police Chief Jim Miller, Borough Engineer Tom Thompson, Public Works Director Chad Garland, and Zoning and Code Enforcement Officer Jason Sarver were also in attendance.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Andrew Spencer.

VISITORS:

In Person: James Hulings, Jason Tai, Stephen and Shannon Mick, Jerry and Jan Maharg, Cindy Mellenthin, Vicki Hussar, Rhonda Walker, and Marsha Grabowski

Remotely: None

PUBLIC COMMENT

None

CONSENT AGENDA:

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

- Minutes of October 9, 2023 Council Meeting.
- Transfer of Funds, \$150,000.00 from the Electric Fund to the General Fund, if needed.
- Transfer of Funds, \$40,000.00 from the General Fund to the Park Fund, if needed.

Motion carried 6-0.

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OLD BUSINESS:

CONSIDER APPROVAL OF PROPOSED ORDINANCE # 888-23 VACATING STREETS AND ALLEYS NEAR THE WESTERN BUTLER COUNTY AUTHORITY PROPERTY

Required advertising for Proposed Ordinance #888-23 for the vacation of streets and alleys near the Western Butler County Authority (WBCA) property has been conducted.

Item tabled.

2023-3-CU CONDITIONAL USE PERMIT FOR WESTERN BUTLER COUNTY AUTHORITY (WBCA) FUTURE ADMINISTRATION BUILDING AT 607 MARKET STREET

A motion was made by Mr. Mathew, seconded by Mr. Foyle, to approve Conditional Use Permit 2023-3-CU for Western Butler County Authority (WBCA) Future Administration Building at 607 Market Street.

WBCA submitted a Conditional Use Permit Application for the future administration building and garage to continue its current use as an Essential Service Building. The structure is located at 607 Market Street, Zones C-3 Heavy Commercial District & R-3 Urban Residential District.

WBCA is located at 607 Market Street, parcel # 550-S4-A828. The applicant proposed to construct a new one-story building along Allegheny Street south from their existing facility. The new structure will allow the Authority's administrative functions to relocate to the new building. The construction includes a garage with facilities for the field crew and equipment.

Council is required to hold a public hearing on this Conditional Use Permit, and this must be done within sixty days of the submission of a complete application. Findings of Fact shall be issued within 45 days after the public hearing.

On Wednesday, September 20, 2023, the Zelienople Planning Commission reviewed this Conditional Use Permit Application request and recommended to Council to schedule and have the necessary public hearing with their recommendation for approval of the Conditional Use. The public hearing on the 2023-3-CU Conditional Use Permit was held prior to this October 30, 2023 council meeting.

Motion carried 6-0.

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CONSIDER AFFIRMING SPECIAL EVENT PERMIT APPLICATION FOR FISHER'S CUSTOMER APPRECIATION DAY AND USE OF FIVE PARKING SPACES IN THE MUNICIPAL TOWN CENTER LOT

A motion was made by Mr. Mathew, seconded by Mrs. Reeb to affirm the email vote to approve the Special Event Permit Application for Fisher's Customer Appreciation Day on October 28, 2023 from 12:00 PM to 6:00 PM and the use of five (5) parking spaces in the Municipal Town Center Lot contiguous to their back property (131 S. Main St.) 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:

- The spaces must be specifically used are 181-185.
- They must maintain ADA compliance by maintaining a 36" clearance on the sidewalk and the placement and use of tables and chairs cannot interfere with the 36" clearance.
- They must not pound stakes or similar into the parking lot asphalt.
- There must be a sufficient barrier between the area in use and the rest of the parking lot to insure adequate and safe use of vehicles in the lot. This must be acceptable to the borough prior to the event.
- There must be protection on those spaces to avoid it being stained or marked from any cooking oil etc. Any damage may be the responsibility of the person making the request.
- There must be an insurance coverage that makes the borough an additional insured, to protect the borough from any claim for damages.

Motion carried 6-0.

NEW BUSINESS:

BILLS TO BE PAID

A motion was made by Mr. Geis, seconded by Mr. Semel, to accept the "bills to be paid report" for October 30, 2023 totaling \$415,065.48.

Motion carried 6-0.

CONSIDER PRELIMINARY AND FINAL APPROVAL FOR LAND DEVELOPMENT OF THE FUTURE PREMIER CUSTOM PAINT AND COLLISION ADDITION, LOCATED AT 412 S. MAIN STREET

A motion was made by Mrs. Reeb, seconded by Mr. Mathew, to approve the land development of the future Premier Custom Paint and Collision addition, located at 412 S. Main Street.

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The applicant, Premier Land Holdings, LLC proposed the redevelopment of existing Premier Custom Paint & Collision in Zelienople Borough, Butler County, Pennsylvania. The proposed redevelopment will consist of the demolition of two existing residential buildings and the expansion of the existing shop with associated parking and site improvements. The development will also include the construction of stormwater facilities consisting of conveyance facilities and a stormwater basin (MRC). The anticipated construction start date is Fall 2023, and finish date is Spring/Summer 2024.

Premier Land Holdings, LLC (applicant) received recommendation for approval from the Zelienople Planning Commission at the September 20, 2023 meeting. The applicant also submitted to Butler County Planning for review and did not receive any comments.

Motion carried 6-0.

CONSIDER APPLYING FOR A PENNDOT MULTIMODAL GRANT APPLICATION FOR THE PEDESTRIAN CROSSING AT MAIN AND SPRING STREETS

A motion was made by Mr. Semel, seconded by Mr. Foyle, to approve the application for a PennDOT Multimodal Grant for the pedestrian crossing at Main and Spring Streets.

The PennDOT Multimodal Transportation Fund (MTF) was established by Act 89 of 2013. It provides financial assistance for transportation infrastructure projects that enhance communities, improve pedestrian safety, and/or revitalize transit. The program minimum match is 30%.

The Borough has received the PennDOT highway occupancy permit for installing a pedestrian crossing at Main and Spring Streets. This project is an eligible project under this program.

Motion carried 6-0.

OTHER BUSINESS:

COUNCIL REQUEST FOR INFORMATION

Council reviewed the monthly request for information spreadsheet and facilities management schedule with all the items updated as of 10/23/2023. This includes any discussion and removal/addition of items from the previous month.

No action vote was taken.

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REPORTS

Committees Reports:

Mrs. Hess:

- Human Resources: no report
- Park and Recreation: no report
- Main Street Revit. (w/ Mr. Spencer and Mr. Semel): no report

Mr. Semel:

- IT: noted work on park website developments; discussion on newsletter being smaller yet more regular
- Main St. Revit.: noted we are still waiting on transformers and working on grant application for Four Corners Park in November
- COG: no report

Mr. Geis:

- Electric: no report
- Bldg./Finance: noted budget meetings in progress
- Pension: no report

Mr. Foyle:

- Pension: no report
- Library: noted programs planned for indoors in the future; check website for details

Mrs. Reeb:

- Public Safety/Street/Sidewalk/Storm Water: no report
- Historical Society: noted Buhl House is in the process of being painted
- Shared Services Committee: noted that leaf collection has started

Mr. Mathew:

- Water: no report
- Police Matters: no report
- EMA (w/ Mr. Spencer): no report
- Fire Dept. Liaison: noted work on Fire District Committee through COG
- Shared Services: discussed leaf collection; asked to look for a way to narrow down areas of collections

Mayor: Introduced Ben Walsh who is doing a school project on local government; also noted that there will be a Veteran's Day event at Lutheran Senior Life

- Airport Authority: noted that he is attending upcoming meeting

Manager: requested executive session on contractual matters

Solicitor: no report

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Engineer: no report

Police Chief: no report

Public Works Director: no report

Zoning/Code Officer: no report

Finance Director: not present

Junior Councilperson: attended FBI team academy day to learn about their work

OTHER BUSINESS:

Borough Manager Andrew Spencer requested an executive session on contractual matters

Time of Break: 7:52 PM; Return 8:00 PM

Executive Session Time: 8:00 PM; Return: 8:45 PM

ADMINISTRATION RECOMMENDS HOURLY RATE INCREASES

A motion was made by Mr. Semel, seconded by Mr. Foyle, to approve an hourly rate increase for Administrative Assistant/Accounts Payable to \$19.83/hour and an hourly rate increase for Administrative Assistant/Pool Manager to \$21.15/hour, due to increased responsibilities; effective as of the November 6, 2023 pay period.

Motion carried 6-0.

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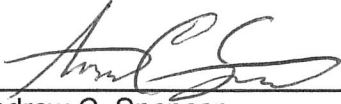
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Being no further business, President Hess closed the meeting at 8:46 PM.

ATTEST:

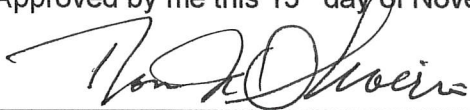


Andrew C. Spencer
Borough Manager



Mary E. Hess
Council President

Approved by me this 13th day of November 2023.



Thomas M. Oliverio
Mayor