

**MINUTES
UNION CITY BOROUGH
OCTOBER 9, 2018**

VISION STATEMENT: “The Union City area is a thriving rural community of families, businesses and organizations dedicated to encouraging growth while maintaining small town values.”

The meeting of the Union City Borough Council was called to order at 7:00 P.M. by Councilor Brumagin. The meeting was held at Union City High School, LGI Room.

Councilors present were Brumagin, Hoban, Steadman, Kolaja, McGuire and Cross.

Officials present were Solicitor Timothy Wachter, Mayor Natalie Wilmoth, Borough Secretary Cindy Wells, Police Chief David Pernice, Streets Supervisor Bob Phillips, Zoning Officer Dennis Ploss, Code Enforcement Shawn Tharp.

See the sign-in sheet for visitors present.

APPROVAL OF AGENDA: It was moved by Councilor Kolaja and seconded by Councilor Steadman to adopt the agenda as amended and move the Executive Session under Public Safety. Motion carried unanimously.

MOTION ON MINUTES: It was moved by Councilor Hoban and seconded by Councilor Kolaja that all Councilors having read the minutes from the meeting held September 25, 2018 be approved. Motion carried unanimously.

MOTION ON SECRETARY’S REPORT: It was moved by Councilor Hoban and seconded by Councilor Kolaja that the Secretary’s Report be accepted and made a part of the minutes of this meeting. Motion carried unanimously.

MOTION ON BILLS: It was moved by Councilor Hoban and seconded by Councilor Steadman that the unpaid bills be ordered paid and those paid be approved. Motion carried unanimously.

HEARING OF THE VISITORS: A reminder to visitors that this is their opportunity to speak. Public comments will not be permitted after this time. Any visitors who wish to speak may do so at this time.

Steve Jones wanted to compliment Council for improvement to the city with painting, sidewalk grant, etc. Also, the Streets Department for all the mowing and weeding before the parade. He would like Council to revisit the flooding on North Street and have the DEP look at it.

Councilor Brumagin stated that the Borough needs to stay on top of it but the most recent problem with flooding was the result of storm sewer drains that were plugged on Waterford Street. Great Lakes removed 34 yards of gravel and the water is now draining. Bob Phillips can check with the DEP.

Howard Buell stated he didn't think that the Borough needed another liquor license.

Dave Wellman agreed and said it would be competing with other business. We may lose other jobs and have a vacant building.

Dorothy Wellman agreed with Dave Wellman. She doesn't shop at Country Fair.

Kim Stein stated that public opinion will be out.

Mark Racop said he felt Country Fair had a wonderful PR campaign. Turning it down, nothing will change. He also doesn't close at 5:00PM. The transfer of this license is all about profit.

Councilor Hoban said there has been no other issue in all his years on Council that has made his doorbell and phone ring more than this. He has lost sleep over it and a lot of thought has gone into it.

Paul Rankin with Country Fair believes change is happening. DUI charges have changed how people want to buy alcohol. 50 years ago, McGarvey opened Country Fair for milk and gas sales, now it is evolving again to a restaurant. Country Fair wants to grow business and be competitive and continue to improve. You must invest to improve.

Wanda McClelland is in the process of purchasing 6 Bridge Street from James Klacamp. She has been paying back taxes. She knows the trailer needs torn down. She would like until the end of November to get that done. She is hoping to close by November 1, 2018. She does still owe him some homey.

Tara Kaplan has lived all over and has seen that it is normal to have beer-wine in grocery stores. She understands both sides.

Ross Kaplan doesn't understand PA laws. He can't go to Kim's Townhouse because of smoke. He sees the transfer of the license as moving into the future.

Solicitor Wachter said because this is a transfer license it can pass with restrictions.

TRANSFER OF LIQUOR LICENSE TO COUNTRY FAIR: Council to vote on the transfer of a restaurant liquor license to Country Fair.

MOTION TO APPROVE THE TRANSFER OF A RESTAURANT LIQUOR LICENSE FROM NORTH EAST TOWNSHIP TO COUNTRY FAIR, UNION CITY BOROUGH. It was moved by Councilor Hoban and seconded by Councilor Cross to approve the transfer of a restaurant liquor license from North East Township to Country Fair, Union City Borough.

ROLL CALL VOTE: Councilor Cross Yes Councilor McGuire No
 Councilor Steadman No Councilor Kolaja No
 Councilor Hoban Yes Councilor Brumagin

Yes

Because there is a tie vote Mayor Natalie Wilmoth is required to vote. She stated it is not personal either way. She spoke to a lot of people who were in favor of the transfer. She was elected to support the people and because of that she voted yes.

THE TRANSFER OF THE RESTAURANT LIQUOR LICENSE TO COUNTRY FAIR IN UNION CITY BOROUGH WAS APPROVED BY RESOLUTION 2018-15.

CODE ENFORCEMENT: Any questions for Shawn Tharp regarding Code Enforcement Reports.

How long does Council want daily tickets issued to a property?

92 SOUTH MAIN STREET: Council to make a motion to have the overhang removed by Andy Bengel for approximately \$1,800.00 and file a lien against the property. Councilor Kolaja wanted to know about all the tickets that were written against this property. Solicitor Wachter stated paperwork could be filed in Common Pleas Court to collect the charges. It was mentioned that the question was asked how long Council wants daily tickets issued to a property but Council has never made a decision on this.

A MOTION TO APPROVE THE REMOVAL OF THE OVERHANG ON THE FRONT OF THE BUILDING AT 92 SOUTH MAIN STREET BE REMOVED BY ANDY BENDEL FOR APPROXIMATELY \$1,800.00.

It was moved by Councilor Kolaja and seconded by Councilor McGuire for to approve the removal of the overhang on the front of the building by Andy Bengel for approximately \$1,800.00. Motion carried unanimously.

ZONING OFFICER:

MOTION TO PROCEED WITH CHARGES ON THE PROPERTY OF 6 BRIDGE STREET IF THE PROPERTY IS NOT TRANSFERRED TO WANDA MCCLELLAND BY NOVEMBER 10, 2018. It was

moved by Councilor McGuire and seconded by Councilor Cross to proceed with charges on the property of 6 Bridge Street if the property is not transferred to Wanda McClelland by November 10, 2018. Motion carried unanimously.

MAYOR: The Mayor had no reports or recommendation.

BOROUGH SECRETARY:

MULTI-MODAL TRANSPORTATION GRANT: Union City Borough has been awarded \$121,80

from the Multi-Modal Transportation Grant. This grant is for sidewalks in a specified area for sidewalks that are used by school students. Cindy is signing a letter that says we are interested in accepting the funds. It does not constitute a binding agreement it just provides the Department with confirmation of our interest in receiving the funds. There is a 30% match requirement. The exact sidewalk location will be announced at a later time.

SCHOOL CROSSING AT JOHNSON STREET AND SOUTH MAIN STREET:

Chief Pernice and Cindy

Wells attended the School Board Meeting on October 4, 2018 and presented information concerning this crossing. The information presented was recommendations by PennDOT to relocate the LED signs and get the permitting. The LED lighted signs were installed by the School District and they did not have the required permit for lighted signs. If the signs were not lighted no permit would be required. The approximate cost for the permitting and engineering will be approximately \$1800.00 and the cost for the thermoplastic "SLOW" signs \$465. The Borough is willing to pay for the "piano key" style thermoplastic crosswalk, pay the labor and materials to install the crosswalk and the "SLOW" signs and move the LED signs as recommended by the engineer, at an approximate cost of \$718.00 The School Board will discuss at their next meeting and get back to the Borough.

PA SEA GRANT FOR TREES: Initially there were going to be trees planted on East High Street to

replace the trees that were removed. However, all but three of the property owners do not want the trees with the exception of two that do want them. That leaves about 11 trees that don't have specific locations to plant them. It has been suggested they be planted in front of the Borough garage. Council did not approve the trees being planted at the Borough garage.

ADMINISTRATION:

MOTION TO PASS AN ORDINANCE PROHIBITING THE DEPOSIT OF ANIMAL REFUSE IN PUBLIC PLACES; REQUIRING THE REMOVAL OF AND PROTECTING FROM ANIMAL REFUSE IN PUBLIC PLACES; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THE ORDINANCE; AND PROVIDING A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. It was moved by Councilor

McGuire and seconded by Councilor Hoban to pass an ordinance prohibiting the deposit of animal refuse in public places; requiring the removal of and protecting from animal refuse in public places; providing for penalties for the violation of the ordinance; and providing a repealer, severability, and an effective date. Motion carried unanimously.

FINANCE: The Director of Finance had no reports or recommendations.

RENAISSANCE GRANT PAYMENT APPROVAL: Council needs to approve payment for 33 5th

Avenue, for the approved and completed project of window replacement. Payment would be in the amount of \$3,214.00.

MOTION TO APPROVE A PAYMENT FROM THE RENAISSANCE GRANT ACCOUNT TO BECKY MCCARTNEY, 33 FIFTH AVENUE, FOR THE FINISHED PROJECT OF WINDOW REPLACEMENT. It

was moved by Councilor McGuire and seconded by Councilor Steadman to approve a payment from the Renaissance Grant account to Becky McCartney, 33 Fifth Avenue, for the finished project of window replacement. Motion carried unanimously.

MOTION TO PAY RUSSELL STANDARD \$119,341.64.00 FROM THE LIQUID FUELS ACCOUNT AND PAY THE REMAINING \$20,393.00 FROM THE GENERAL FUND UPON WHICH WE WILL APPLY FOR THE COUNTY AID IN THE AMOUNT OF \$20,393.00. It was moved by Councilor

Kolaja and seconded by Councilor Cross to pay Russell Standard \$119,341.64 from the Liquid Fuels account and pay the remaining \$20,393.00 from the General Fund upon which we will apply for the County Aid in the amount of \$20,393.00. Motion carried unanimously.

PUBLIC SAFETY: The Director of Public Safety had no reports or recommendations.

EXECUTIVE SESSION: Council went into Executive Session at 8:07 – 8:30 to discuss personnel.

MOTION TO AMMEND THE AGENDA TO APPROVE MMO: It was moved by Councilor Hoban and seconded by Councilor Steadman to amend the agenda to approve MMO. Motion carried unanimously.

MOTION TO APPROVE THE MMO BETWEEN CHIEF PERNICE AND THE BOROUGH OF UNION CITY. It was moved by Councilor McGuire and seconded by Councilor Cross to approve the MMO between Chief Pernice and the Borough of Union City. Motion carried unanimously.

PARKS AND RECREATION: The Director of Parks and Recreation had no reports or Recommendations.

PUBLIC WORKS:

MOTION TO GIVE ERIC SCHWAB A 50 CENT/HOUR PAY INCREASE AND 6 ADDITIONAL MONTHS TO GET A CDL LICENSE. It was moved by Councilor Hoban and seconded by Councilor McGuire to give Eric Schwab a 50 cent/hour pay increase and 6 additional months to get a CDL license. Motion carried unanimously.

COLLECTION OF DEBRIS IN FRENCH CREEK: Cindy talked to the DEP and the Borough can cut the trees that are across French Creek however, they can not drive equipment into the creek. The woody debris can be removed from the stream while you are standing on the bank or have heavy equipment on the bank. Bob said he looked at it and with the level of the creek right now it would be difficult to use a saw while standing in it to cut the trees. Council prefers to hire someone to do it. Bob will check with some different people and get prices.

MOTION TO ADVERTISE THE PROPOSED AMENDMENT TO ORDINANCE 1102 STREET OPENING ORDINANCE AND APPROVE THE AGREEMENT TO BE VOTED ON AT THE OCTOBER 23, 2018 COUNCIL MEETING. It was moved by Councilor McGuire and seconded by Councilor Cross to advertise the proposed amendment to Ordinance 1102 Street Opening Ordinance and approve the agreement to be voted on at the October 23, 2018 Council meeting. Motion carried unanimously.

COUNCIL TO REVIEW AGREEMENT WITH UNION TOWNSHIP: Solicitor Wachter provided a

proposed agreement. After some revisions as to the street names Council would like Bob Phillips to present it to Union Township.

PLEASANT STREET PAVING ISSUE: Bob said he received information from Councilor McGuire

about a complaint from a property owner on Pleasant Street that wanted his driveway blacktopped. Bob provided photographs which show what the driveway aprons were like after the paving and pictures after the Streets Department put in fill. Councilor McGuire stated he sees other paving jobs and has never seen a roadway finished like this. He didn't realize that it must be bid out to have this paved. Councilor Brumagin stated the Borough needs to go in as soon as the paving is done and place the dirt. Councilor McGuire feels that we should bid paving jobs to pave the aprons. Bob Phillips stated that if they are already paved and dug up they do repave them but if they are dirt they replace the dirt.

DRAINAGE PROBLEMS WITH JOHN STREET: Bob met with an engineer, Mark Corey, about the

John Street hill. Mark's opinion is that catch basins should be installed all along John Street with an 18" pipe running down the hill and then run another pipe down North Main Street which would require digging out the bank along North Main Street. Russell Standard said it would take 5" of blacktop to hold the hill. Bob wondered about using gable baskets. Council wants a second opinion from GPI.

PERSONNEL AND PLANNING: The Director of Personnel and Planning had no reports or recommendations.

INFORMATIONAL SUMMARY: Council to approve the Informational Summary be made part of the minutes.

ADJOURNMENT: It was moved by Councilor McGuire and seconded by Councilor Cross that the meeting be adjourned.

The meeting adjourned at 9:01 P.M._

ATTEST