

**MINUTES  
UNION CITY BOROUGH  
MAY 28, 2019**

**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 6:00 P.M. by Councilor Brumagin. The meeting was held at City Building, 13 South Main Street.

**COUNCILORS PRESENT** were Brumagin, Hoban, Steadman, McGuire, and Cross. Kolaja was absent.

**OFFICIALS PRESENT** were Solicitor Timothy Wachter, Mayor Natalie Wilmoth, Borough Secretary Cindy Wells, Streets Supervisor Bob Phillips, Zoning Officer Dennis Ploss, Code Enforcement Shawn Tharp.

**VISITORS PRESENT** See sign-in sheet for visitors present.

**APPROVAL OF AGENDA:** It was moved by Councilor Cross and seconded by Councilor McGuire  
to adopt the agenda as amended by adding an Executive Session with no action at the end of the meeting. Motion carried unanimously.

**MOTION ON MINUTES:** It was moved by Councilor Hoban and seconded by Councilor McGuire  
that all Councilors having read the minutes from the council meeting on April 9<sup>th</sup> & 23<sup>rd</sup>, 2019 and the Public Hearing on May 14, 2019 be approved. Motion carried unanimously.

**MOTION ON SECRETARY’S REPORT:** It was moved by Councilor McGuire and seconded by  
Councilor Hoban 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 McGuire and seconded by Councilor  
Cross that the unpaid bills be ordered paid and those paid be approved. Motion carried unanimously.

**JOHN BARBER, 27 GRANT STREET** – John stated his property is surrounded by Cherry Hill  
property. 28 & 28-1/2 Grant Street has garbage out now, grass that is 2’ tall, they have parties and throw litter in the street and their yard. Stated that he has called the police. Dan Brumagin mentioned starting a neighborhood watch.

**BETH MALEC, UC HISTORICAL SOCIETY** – Presented information and stated the museum has too many artifacts, many of which are duplicated. She is recommending “deaccessioning”. There is no room for additional items. Councilor Brumagin said they should check with the families who donated the items. Beth said they would go through and ask several questions about each item to determine if they should get rid of them and they would have a process which could include an auction.

**DAVE WELLMAN – EMERGENCY RADIOS: Council tabled this until the next meeting.** Discuss the costs of an emergency ham radio system in case the 911 system would go down. This would maintain communication with the 911 Center. Dave Wellman reported the approximate costs \$500.

**ZONING OFFICER:** Review Zoning Report for April 2019. Any questions for Dennis Ploss regarding Report.

**PROPERTIES THAT HAVE CHANGED LAND USE CODES:** Letters have been sent.

**OPT-IN/OUT FOR UCC ENFORCEMENT:** A letter retracting the request to opt-out can be sent. Ed Cardy at BIU sent an agreement which was reviewed by Solicitor Wachter. Council needs to determine if they want to Opt-out and use the PA Dept of Labor & Industry for UCC enforcement, or continue to use Rick Makhous as BCO, or sign the agreement with BIU to be the appointed BCO.

**MOTION TO CANCEL/WITHDRAW THE REQUEST SENT TO PA DEPARTMENT OF LABOR & INDUSTRY REQUESTING THE BOROUGH TO BE OPT-OUT ON UCC CODE ENFORCEMENT AND APPROVE THE AGREEMENT WITH BIU AS A BUILDING CODE OFFICIAL AND BUILDING INSPECTOR.** It was moved by Councilor McGuire and seconded by Councilor Steadman to cancel/withdraw the request sent to PA Department of Labor & Industry requesting the Borough to be Opt-Out on UCC Code Enforcement and approve the agreement with BIU as a Building Code Official and building inspector. Motion carried unanimously.

**ZONING AMENDMENT:** Council reviewed and discussed some possible changes to the proposed amendment to the Zoning Ordinance which will change the required set-back on fences to 2’.

**MOTION TO ACCEPT THE PROPOSED AMMENDMENT TO ZONING ORDINANCE 1118 THAT FENCES SHALL BE BUILT WITH A MINIMUM SETBACK OF APPROXIMATELY TWO (2) FOOT FROM A LOT LINE.** It

was moved by Councilor Hoban and seconded by Councilor McGuire to accept the proposed amendment to Zoning Ordinance 1118 that fences shall be built with a minimum setback of two (2) foot from a lot line. Motion carried unanimously.

**CODE ENFORCEMENT:** BIU Inspections and property owner reports. There were no questions for Shawn Tharp regarding Reports.

**CHERRY HILL PROPERTY UPDATE:** The 60-day hold on fines was to take effect when the fines were paid which were received. An email was received with an attachment of a company making the repairs on 31 Miles Street. He is still working on the paperwork required by the DEP. The silo probably will not be taken down but will need to be closed-up or keep the fence secure. The letter from his attorney was read.

**COMPLAINTS:** Council reviewed the complaint/concern forms and had no questions.

**MAYOR:** Mayor Wilmoth reminded everyone that the Community Clean-up sponsored by the Police Department will be this Saturday, June 1, 2019.

**BIDS WERE OPENED 2019 STREET PROJECTS**

Seal Coat  
Russell Standard \$21,326.93  
Suit Kote \$21,395.00

Paving Project – Option 1  
Cross Paving \$ 89,612.78  
Lindy Paving \$102,982.00  
McCormick \$149,252.60

Paving Project – Option 2  
Cross Paving \$ 93,939.78  
Lindy Paving \$107,354.53  
McCormick \$154,067.20

**MOTION TO ACCEPT THE SEAL COAT BID FROM RUSSELL STANDARD IN THE AMOUNT OF \$21,326.93 AND ACCEPT THE PAVING PROJECT – OPTION 2 BID FROM CROSS PAVING IN THE AMOUNT OF \$93,939.78, ALL CONTINGENT ON REVIEW OF THE DOCUMENTS.** It was moved

by Councilor McGuire and seconded by Councilor Steadman to accept the seal coat bid from Russell Standard in the amount of \$21,326.93 and accept the paving project – option 2 bid from Cross Paving in the amount of \$93,939.78, all contingent on review of the documents. Councilor Cross abstain because of relationship with Cross Paving. Motion carried.

**STREET SUPERVISOR:** Council reviewed the first quarter report from the Street Supervisor and  
Had no questions regarding the report.

**STREET SWEEPER:** Street Supervisor Bob Phillips reported the air compressor is not working  
properly and will need replaced. They are still checking prices.

**HAZEN STREET STORM DRAINS:** Councilor Brumagin and Councilor McGuire met on location  
with Bob Phillips. There is water coming off Hazen Street and washing out O'dell Street. Catch basins and pipe need installed to divert water to Odell Street drains. Bob Phillips is suggesting taking money budgeted for Maple Street to purchase catch basins for approximately \$930 and also purchase 3-18" pipes and install behind the UC Estates where water is washing out our side of 6<sup>th</sup> Avenue.

**MOTION TO USE MONEY BUDGETED FOR MAPLE STREET TO PURCHASE CATCH BASINS FOR APPROXIMATELY \$930 TO INSTALL ON HAZEN STREET AND PURCHASE 3 – 18" PIPES TO BE INSTALLED BEHIND THE UC ESTATES WHERE WATER IS WASHING OUT OUR SIDE OF SIXTH AVENUE FOR A TOTAL OF APPROXIMATELY \$1,500.** It was moved by Councilor McGuire and  
seconded by Councilor Cross to use money budgeted for Maple Street to purchase catch basins for approximately \$930 to install on Hazen Street and purchase 3 – 18" pipes to be installed behind the UC Estates where water is washing out our side of Sixth Avenue for a total of approximately \$1,500. Motion carried unanimously.

**WARDEN/EAST HIGH STREET STORM SEWER DRAIN:** Great Lakes has cleaned and used the  
camera. The pipe is cleaned. There was a manhole found under the asphalt that has been opened and a riser will be installed. The top of the pipe between Tops & Ron Jones Hardwoods is deteriorated. Waiting for an estimate from McLallen. The galvanized pipes in the Borough are deteriorating. Another one was found at Route 97 & Murray Street that needs replaced.

**BENTLEY RUN:** Cement in creek and washing away the banks. The concrete and log have been  
removed and is water is flowing smoothly.

**HANDICAP SIGNS:** Signs for designated handicap parking areas have been installed on Cherry Street. They will install them at Caflisch Park this week. The ordinance states there is one at Southwest Park however, there is no paved parking spot. Council does want a sign installed at Southwest Park.

**ESTIMATE TO SEPARATE THE NORTH MAIN STREET STREET LIGHTS FROM THE OUTLETS THAT CONTROL THE CHRISTMAS LIGHTS:** An estimate was received from Hyer Electric in the amount of \$650.

**MOTION TO HAVE HYER ELECTRIC SEPARATE THE NORTH MAIN STREET STREET LIGHTS FROM THE OUTLETS THAT CONTROL THE CHRISTMAS LIGHTS.** It was moved by Councilor McGuire and seconded by Councilor Cross to have Hyer Electric Separate the North Main Street street lights from the outlets that control the Christmas lights. Motion carried unanimously.

**CELL PHONE REIMBURSEMENT:** Pay Bob Phillips and Paul Maynard \$20/month for cell phone reimbursement. Bob is suggesting that Dave Himes also be paid.

**MOTION TO PAY DAVE HIMES FOR CELL PHONE REIMBURSEMENT AT THE RATE OF \$20/MONTH EFFECTIVE JUNE 1, 2019.** It was moved by Councilor McGuire and seconded by Councilor Cross to pay Dave Himes for cell phone reimbursement at the rate of \$20/month effective June 1, 2019. Motion carried unanimously.

**PUBLIC WORKS:** The Director of Public Works had no reports or recommendations.

**BOROUGH SECRETARY:**

**PARADE STREET METHODIST CHURCH:** The Borough received a letter concerning the paving of the parking lot. Until we get the report from Great Lakes to know the condition and location of the pipes no decision can be made.

**CITY BUILDING BRICK REPAIR:** Guzik Concrete has finished the work on the South East corner of the City Building. Requesting approval to have the back cleaned up and leveled off so water runs away from the building. Council approved.

**ERIE COUNTY REPOSITORY PROPERTY:** A letter from the EC Tax Claim Bureau was received

regarding 14 Center Street which is listed on the Repository list. They received an offer of \$250. Council needs to approve the sale.

**MOTION TO APPROVE THE SALE OF 14 CENTER STREET FROM THE REPOSITORY LIST FOR THE AMOUNT OF \$250.00.** It was moved by

Councilor Steadman and seconded by Councilor

McGuire to approve the sale of 14 Center Street from the Repository List for the amount of \$250.00. Motion carried unanimously.

**ERIE COUNTY DEPARTMENT OF PLANNING & COMMUNITY**

**DEVELOPMENT:** A letter was

received regarding the 2019 EC Future Land Use Map. Can be reviewed on-line.

**92 SOUTH MAIN STREET:** The information on this property was presented to the Land Bank.

The Landbank wanted to know what we see the end result being. I told them it could be an extension of yard for the house next door or for the church. We already have commercial vacancies they probably don't want to see another one. They are working on moving ahead and they need to get their insurance in place. It has been boarded up by the County. If they do take ownership, we would be expected to maintain it until ownership was transferred to someone else. The Borough will need to have a signed agreement with the Land Bank. A copy of the agreement was given to Council. Christie Mahany from the Landbank is willing to come and talk to Council.

**MOTION TO APPROVE SIGNING THE INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE ERIE COUNTY LAND BANK.** It

was moved by Councilor McGuire and seconded by

Councilor Cross to approve signing the Intergovernmental Cooperation Agreement with the Erie County Land Bank.

**MOTION TO APPROVE ADVERTISING FOR AN ORDINANCE TO APPROVE AN INTERGOVERNMENTAL CO-OP AGREEMENT WITH THE ERIE COUNTY LANDBANK.** It was

moved by Councilor McGuire and seconded by Councilor Cross to approve advertising for an ordinance to approve an intergovernmental co-op agreement with the Erie County Landbank. Motion carried unanimously.

**INFORMATION ON 2020 CENSUS:** Copy of letter from Erie COG requesting a contribution for

the Erie County Complete Count Committee. The agreement was signed and returned because it was due May 1, 2019. It won't be paid until June.

**RESOLUTION TO REQUEST GREENWAYS, TRAILS & RECREATION**

**PROGRAM GRANT:** The

application will be for \$51,000 from the Commonwealth Financing Authority for a parks & recreation comprehensive plan and designate Cindy Wells to execute documents & agreements.

**MOTION TO PASS A RESOLUTION TO REQUEST GREENWAYS, TRAILS & RECREATION GRANT FOR \$51,000 FROM THE COMMONWEALTH FINANCING AUTHORITY FOR A PARKS & RECREATION COMP PLAN & DESIGNATE CINDY WELLS TO EXECUTE DOCUMENTS AND AGREEMENTS.**

It was moved by Councilor McGuire and seconded by Councilor Cross to pass

a resolution to request Greenways, Trails & Recreation grant for \$51,000 from the Commonwealth Financing Authority for a parks & recreation comprehensive plan & designate Cindy Wells to execute documents and agreements. Motion carried unanimously.

**REVIEW THE ARTIFACT RENTAL AGREEMENT FOR THE MUSEUM:**

Council to review & ask any questions regarding the agreement.

**MOTION TO TABLE APPROVING THE ARTIFACT RENTAL AGREEMENT FOR THE MUSEUM UNTIL IT HAS BEEN REVIEWED BY ELIZABETH MALEC WITH THE UC HISTORICAL SOCIETY.**

It was moved by Councilor Steadman and seconded by Councilor McGuire to table approving the artifact rental agreement for the museum until it has been reviewed by Elizabeth Malec with the UC Historical Society. Motion carried unanimously.

**MULTIMODAL TRANSPORTATION GRANT FOR SIDEWALKS:**

1. Letters were sent to the property owners and the ones that have contacted us haven't had any problem.

2. Council to approve the Policy & Procedure for Consultant Selection.

**MOTION TO APPROVE THE PENNDOT POLICY AND PROCEDURE FOR CONSULTANT SELECTION FOR THE MULTIMODAL TRANSPORTATION GRANT FOR SIDEWALKS ON JOHNSON STREET AND MILES STREET.**

It was moved by Councilor Cross and seconded by Councilor Steadman to approve the PennDOT Policy and Procedure for Consultant Selection for the Multimodal Transportation Grant for sidewalks on Johnson Street and Miles Street. Motion carried unanimously.

**PENNDOT TRAFFIC LIGHT PROJECT:**

Maps of the project will be provided in the lobby & at the meeting on June 27<sup>th</sup> for the Historic Preservation Plan.

**DCNR GRANT FOR CAFLISCH & DEVEREAU PARK:** The DCNR has requested that we put ADA walks all around Caflisch Park and not do any projects in Devereaux Park. We have \$2,000 to put towards the basketball hoops and poles. We still haven't heard from Dick's on the request to them. However, if we would receive that we could put a second court in the one section of the tennis court. We could order the two now at approximately \$1,700 each with a lifetime warranty.

**MOTION TO PURCHASE TWO BASKETBALL HOOPS AND POLES FOR DEVEREAUX PARK.** It was moved by Councilor McGuire and Councilor Cross to purchase two basketball hoops and poles for Devereaux Park. Motion carried unanimously.

**CHAIRS FROM UC CHAIR:** UC Chair will sell us Hard Maple, unfinished chairs for \$20 each. We would have to have them stained/varnished, and seats put on. We could use approximately 25 in the lobby & conference room. We could get extra and store them upstairs if the upstairs was finished off then we would have them. They will be sold at an auction in Cleveland.

**MOTION TO PURCHASE 25 CHAIRS FROM UC CHAIR FOR \$20 EACH.** It was moved by Councilor McGuire and Councilor Cross to purchase 25 chairs from UC Chair for \$20 each. Motion carried unanimously.

**RESOLUTION FOR SERVICE FEE:** Determine the annual service fee for loading zone permit and the fee for the signs & installation. Council approved the Loading Zone Permit fee of \$150.00 for the signs and installation.

**MOTION TO ADOPT A RESOLUTION AMENDING THE SERVICE FEE SCHEDULE EFFECTIVE MAY 29, 2019.** It was moved by Councilman McGuire and seconded by Councilman Cross to adopt a resolution amending the service fee schedule effective May 29, 2019. Motion carried unanimously.

**ADMINISTRATION:**

**CIVIL SERVICE COMMISSION:** There is still a vacancy on the Civil Service Commission whose term will end December 31, 2020.

**ZONING HEARING BOARD:** There is still a vacancy on the Zoning Hearing Board whose term will expire December 31, 2021.



**POLICY MANUAL UPDATE:** Council to decide on changes to the Policy Manual

“Communication” section. If approved, a memo will be sent out to all employees.

**MOTION TO APPROVE THE CHANGES TO THE POLICY MANUAL SECTION V. COMMUNICATION SECTION A & B.** It was moved by

Councilor Cross and seconded by Councilor Hoban to

approve the changes to the Policy Manual section V. Communication Section A & B.

Motion carried unanimously.

**CDBG GRANT APPLICATION:** The Municipal Authority will not be applying for the CDBG grant

this year. Council approved that the Borough apply for Single Family Housing improvements.

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

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

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

Recommendations.

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

Recommendations.

**REVIEW THE INFORMATIONAL SUMMARY:** If there is no objection, the Informational Summary

will stand approved and be made a part of the minutes of this meeting.

Council approved.

**ADJOURNMENT:** It was moved by Councilor McGuire and seconded by Councilor Steadman

that the meeting be adjourned. Motion carried unanimously.

The meeting adjourned at 8:30 P.M.\_

**EXECUTIVE SESSION:** To discuss personnel with no action taken. Started at 8:33 PM and ended

at 9:08 PM.

ATTEST

---