

**MINUTES
UNION CITY BOROUGH
JANUARY 28, 2020**

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 Borough Building, 13 South Main, Union City.

COUNCILORS PRESENT were Brumagin, Hoban, McGuire.

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.

VISITORS PRESENT see the sign-in sheet.

APPROVAL OF AGENDA: It was moved by Councilor Hoban and seconded by Councilor McGuire that the agenda stands approved as presented. Motion carried unanimously.

MOTION ON MINUTES: It was moved by Councilor McGuire and seconded by Councilor Hoban that all Councilors having read the minutes from the council meeting Reorganizational meeting and Council Meeting on January 6, 2020 and special meetings January 14, 2020 and January 21, 2020 be approved. Motion carried unanimously.

COMPLAINT FORMS: Council reviewed the complaint forms and had no questions or comments.

REVIEW OF PENSION PLANS WITH NORTHWEST BANK: Dennis Fortin and Brian Seelinger presented an annual plan review of the Police Pension and the Non-Uniform Pension. A report for each pension was also handed out.

NORTHWEST PENSION STATEMENTS: The fourth quarter and annual statements for both pensions are available for Council to review if they so desire.

HEARING OF THE VISITORS: There were no visitors that wished to speak.

MAYOR: The Mayor reported that the Police Department had been audited by PA Commission on Crime and Delinquency and was found compliant. Thank you to Chief Pernice for the work in making that happen.

SOLICITOR WACHTER: The Solicitor had nothing to report at this time.

BOROUGH SECRETARY:

STATEMENT OF FINANCIAL INTEREST: Reminder that everyone’s Statement of Financial

Interest for 2019 have not been turned in.

ERIE ARTS & CULTURE GRANT: The Borough was notified we will be receiving a \$2,000 grant to put towards the painting of a mural. The actual location of the mural has not been determined.

COUNCIL TO APPROVE SIGNING THE AGREEMENT WITH UNION CITY PRIDE AND UNION CITY PUBLIC LIBRARY THAT THE VACANT LOTS ON SOUTH MAIN STREET WILL BE MADE INTO A PARKING LOT AND THEN OWNERSHIP TRANSFERRED TO THE BOROUGH. Council previously voted to present the agreements to Union City Pride and the Library. They have both signed them.

MOTION TO APPROVE SIGNING THE AGREEMENTS WITH UNION CITY PRIDE AND UNION CITY PUBLIC LIBRARY THAT THE VACANT LOTS ON SOUTH MAIN STREET WILL BE MADE INTO A PARKING LOT AND THEN OWNERSHIP TRANSFERRED TO THE BOROUGH. It was moved by Councilor Hoban and seconded by Councilor McGuire to approve signing the agreements with Union City Pride and Union City Public Library that the vacant lots on South Main Street will be made into a parking lot and then ownership transferred to the Borough. Motion carried unanimously.

COUNCIL TO APPOINT AN ENGINEERING FIRM TO COMPLETE THE LAYOUT OF THE PARKING LOT, THE STORM SEWER, AND ANYTHING NECESSARY FOR CONSTRUCTION. Rate sheets for GPI and Rabell Surveying and Engineering were provided. Solicitor Wachter also recommended Laird Surveying and Engineering in Erie.

MOTION TO GET PROPOSALS FOR ENGINEERING OF THE PROPOSED PARKING LOT. It was moved by Councilor McGuire and seconded by Councilor Hoban to get proposals for engineering of the proposed parking lot. Motion carried unanimously.

ZONING ORDINANCE CHANGES: The Union Planning Commission is recommending changes to the Zoning Map. It would involve changes in the R2 Residential area to RLB Residential Limited Business along East High Street, two lots on Market Street, North Main Street, South Main Street, Perry Street and a portion of Waterford Street. To make these changes a notice will need to be posted and each property owner notified by mail. Also, a change needs done to remove part/all of Section 404 (B), and a change to allow for a fee to be charged for updating and reprinting the map when a variance/special exception creates a change.

Council discussed making the changes. Solicitor Wachter provided information regarding the required process. He said that the state does not allow for expansion, extension or enlargement to nonconforming uses or structures and that our ordinance permits it in Section 404(B). Any proposed changes could postpone the public meeting for the other proposed zoning ordinance changes concerning demo permits, wireless 5G, and Air BnB's, that were to be passed February 11, 2020. Only one public hearing would be needed if the changes are all included in one amendment.

MOTION TO APPROVE A PROPOSED AMENDMENT BE WRITTEN CONCERNING CHANGES TO THE ZONING MAP AND SECTION 404 (B) IN THE CURRENT ZONING ORDINANCE AND ALLOW A FEE TO BE CHARGED FOR UPDATING AND REPRINTING THE MAP WHEN A VARIANCE/SPECIAL EXCEPTION CREATES A CHANGE. It was moved by Councilor Hoban and seconded by

Councilor McGuire to approve a proposed amendment be written concerning changes to the zoning map and section 404 (B) in the current Zoning Ordinance and allow a fee to be charge for updating and reprinting the map when a variance/special exception creates a change. Motion carried unanimously.

REMINDER OF ORDINANCES TO BE VOTED ON AT THE FEBRUARY 11, 2020 COUNCIL MEETING.

Council has approved advertising the proposed ordinance for a prohibition against smoking in playgrounds, public parks and other prohibited areas that will be voted on at the February 11, 2020 meeting. Also, they approved advertising the proposed amendment to the Stormwater Management ordinance which will change gravel and crushed stone to be considered pervious in existing and proposed condition. This will also be voted on at the February 11, 2020 meeting.

Another proposed ordinance is the Union City Tax Abatement ordinance which grants real estate tax relief for properties in deteriorated areas/neighborhoods, commercial, business and industrial properties and residential construction and improvements within the Borough. A public hearing needs to be scheduled prior to voting on this ordinance. This was going to be held at the same time as the zoning public hearing. Council wants to schedule a separate public hearing on February 11, 2020 for the LERTA ordinance and then vote on it at the Council Meeting. The zoning public hearing will be postponed.

COUNCIL TO APPROVE THE INDIVIDUALS FOR AUTHORIZED SIGNATURES FOR THE NORTHWEST PENSIONS.

Currently, the account requires two signatures and Cindy Wells, Treasurer; Dan Brumagin, Council President; and Dan Hoban, Council Vice President are authorized signers. Also, Council needs to determine what the investment objectives will be for each pension. Currently the Police Pension is Balanced-Growth and the Non-Uniform is Balanced.

MOTION TO MAINTAIN THE CURRENT AUTHORIZED SIGNERS FOR THE NORTHWEST POLICE PENSION AND THE NON-UNIFORM PENSION.

It was moved by Councilor McGuire and seconded by Councilor Hoban to maintain the current authorized signers for the Northwest Police Pension and the Non-Uniform Pension. Motion carried unanimously.

MOTION TO SET THE INVESTMENT OBJECTIVES FOR BOTH PENSIONS FOR BALANCED-GROWTH.

It was moved by Councilor McGuire and seconded by Councilor Hoban to set the investment objectives for both pensions for Balanced-Growth. Motion carried unanimously.

UNION CITY VOLUNTEER FIRE COMPANY: A 2019 End of Year Report for the UCVFD was received from Fire Chief, Isiah Edwards. If there is no objection, the End of Year Report will stand approved and be made a part of the minutes of this meeting.

MOTION TO APPROVE THE 2019 END OF YEAR REPORT FOR THE UCVFD AND BE MADE A PART OF THE MINUTES OF THIS MEETING. It was moved by Councilor Hoban and seconded by Councilor McGuire to approve the 2019 End of Year Report for the UCVFD and be made a part of the minutes of this meeting. Motion carried unanimously.

REGIONALIZATION OF EMS: Councilor Brumagin stated that himself and Secretary Wells met with the UCVFD and Union Township concerning EMS services. It was agreed by everyone in attendance regionalization is the best way to go. Dan and Cindy agreed that they would start contacting Kathy Dahlkemper, County Executive; Jessica-Horan Kunco, Erie County COG; Honey Stempko, Erie County Planning; and others to try and get the County to help with regionalization. Dan had contacted John Grappy and there is already a committee/board in place, and we will continue to research the options.

COUNCIL TO APPROVE THE AGREEMENT WITH THE EADS GROUP TO COMPLETE THE ENGINEERING SERVICES FOR THE DCNR GRANT. The EADS Group has presented an agreement to complete the engineering services for the grant received from the DCNR for the ADA accessibility at Caflisch Park in the amount of \$12,655 as budgeted for in the grant. It has been presented to Solicitor Wachter for approval.

MOTION TO APPROVE SIGNING THE AGREEMENT WITH THE EADS GROUP FOR ENGINEERING SERVICES FOR THE DCNR GRANT FOR ADA ACCESSABILITY AT CAFLISCH PARK, CONTINGENT UPON REVIEW OF THE STANDARD TERMS AND CONDITIONS AND APPROVAL BY THE SOLICITOR. It was moved by Councilor McGuire and seconded by Councilor Hoban to approve signing the agreement with the EADS Group for engineering services for the DCNR Grant for ADA accessibility at Caflisch Park, contingent upon review of the Standard Terms and Conditions and approval by the Solicitor. Motion carried unanimously.

ADMINISTRATION: The Director of Administration will make any reports or recommendations he may have.

COUNCIL TO DISCUSS PASSING AN ORDINANCE ABOLISHING WARDS IN THE BOROUGH OF UNION CITY. Councilor McGuire discussed the reasons he was not in favor of abolishing the wards and Councilor Brumagin and Councilor Hoban discussed the reasons they supported the ordinance.

MOTION TO PASS AN ORDINANCE ABOLISHING ALL WARDS WITHIN THE BOROUGH OF UNION CITY. It was moved by Councilor Hoban and seconded by Councilor Brumagin to pass an ordinance abolishing all wards within the Borough of Union City. A roll-call vote was taken McGuire-no, Hoban-yes, Brumagin-yes. Motion carried.

COUNCIL TO TAKE NOMINATIONS TO FILL VACANCIES ON COUNCIL. There are three vacancies at this time. Councilor McGuire nominated George Heintz to fill the 4-year term. Councilor Hoban nominated Riley Cross to fill the 4-year term.

A roll-call vote was taken to appoint George Heintz to fill the 4-year term. McGuire-yes,

Hoban-no, Brumagin-no. Motion failed.

A roll-call vote was taken to appoint Riley Cross to fill the 4-year term. McGuire-yes, Hoban-yes, Brumagin-yes. Motion carried.

COUNCIL TO TAKE NOMINATIONS TO FILL A 2-YEAR VACANCY ON COUNCIL.

Councilor McGuire nominated Greg Bowes.

A roll-call vote was taken to appoint Greg Bowes to fill the 2-year term. McGuire-yes, Hoban-yes, Brumagin-yes. Motion carried.

COUNCIL TO TAKE NOMINATIONS TO FILL A 2-YEAR VACANCY ON COUNCIL

Councilor Hoban nominated Matthew Joyce.

A roll-call vote was taken to appoint Matthew Joyce. McGuire-yes, Hoban-yes, Brumagin-yes. Motion carried.

OATH OF OFFICE GIVEN TO NEW COUNCIL MEMBERS

Matthew Joyce provided his Affidavit of Residency. Mayor Wilmoth gave the Oath of Office to Matthew Joyce. He proceeded to take his seat on Council.

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

POLICE CHIEF:

ORDINANCES REGARDING JUVENILE DETENTION AND RELEASE: Chief Pernice reported that with state law changes regarding detention of juveniles, a review of Borough Ordinances should be done, example the Curfew Ordinance, because of the provisions for the release of a juvenile. Solicitor Wachter stated that no matter what the ordinance reads state law would preempt it. Chief Pernice will look through the ordinances and can provide the information to the Solicitor for potential changes.

HIRING OF PART-TIME OFFICERS: Chief Pernice requested that council give him the approval to start the hiring process for two part-time officers. At the time it is determined a full-time officer can be hired, he would be able to appoint one of the part-time officers. Solicitor Wachter stated the Borough Civil Service Rules and Regulations allow officers to be hired through the Consortium. Council gave their approval.

UPDATE ON CAR COMPUTERS: Chief Pernice had made several requests to local business/organizations for funding to purchase car computers. Funds were received from Corry Federal Credit Union, American Legion, Lions Club, and Union City Community House Association totaling \$2200. An application has also been submitted to the UC Community Foundation, but no decision has been made at this time.

STREET SUPERVISOR:

UPDATE ON STREET SWEEPER: The parts have been installed in the street sweeper and

it is running. They have found a hole that needs to be repaired and it should be completed on Wednesday.

PRESENT INFORMATION REGARDING THE BOROUGH VACATION POLICY: Bob presented information requesting that the Policy & Procedure Manual Section VIII (E) be changed to permit vacation time being taken in as little as 1-hour increments. Currently it states in as little as half-day increments. Also, he requested a change permitting Street Department employees to be able to use vacation time during the period of November 15 through April 15 in the increments of hours and the Street Supervisor the ability to give approval.

Council wants scheduled vacation time off in no less than 4-hour increments and must be submitted in writing and require approval of the Street Supervisor.

MOTION TO SUSPEND THE RULES. It was moved by Councilor Hoban and seconded by Councilor McGuire to suspend the rules. Motion carried unanimously.

MOTION TO CHANGE SECTION VIII (E) IN THE POLICY AND PROCEDURE MANUAL TO ALLOW VACATION TIME TO BE TAKEN IN AS LITTLE AS 1-HOUR INCREMENTS AND REQUIRE SCHEDULED VACATION TIME TO BE TAKEN IN AS LITTLE AS 4-HOUR INCREMENTS. ALSO ALLOW STREET DEPARTMENT EMPLOYEES TO USE VACATION TIME IN HOURLY INCREMENTS DURING THE PERIOD NOVEMBER 15-APRIL 15, WITH APPROVAL OF THE STREET SUPERVISOR. ALL VACATION REQUESTS MUST BE SUBMITTED IN WRITING TO THE DEPARTMENT SUPERVISOR AND RECEIVE THEIR APPROVAL.

It was moved by Councilor McGuire and seconded by Councilor Joyce to change Section VIII (E) in the Policy and Procedure Manual to allow vacation time to be taken in as little as 1-hour increments and require scheduled vacation time to be taken in as little as 4-hour increments. Also, allow Street Department employees to use vacation time in hourly increments during the period November 15-April 15, with approval of the Street Supervisor. All vacation requests must be submitted in writing to the Department Supervisor and receive their approval. Motion carried unanimously.

The Solicitor will make the changes in the policy.

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

PARKS AND RECREATION: There was no specific information on the Winter Fun Day but did see that it was well attended.

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

ADJOURNMENT: It was moved by Councilor McGuire and seconded by Councilor Joyce that the meeting be adjourned. Motion carried unanimously. The meeting adjourned at 8:01 P.M._

ATTEST