

**MINUTES  
UNION CITY BOROUGH  
AUGUST 11, 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 Council Meeting for the Borough of Union City was called to order at 7:00 P.M. by Councilman Hoban. Due to the COVID-19 Pandemic, and to meet the recommendations for “social distancing” the meeting was held at the Union City Volunteer Fire Department Social Hall.

**COUNCILORS PRESENT:** Hoban, McGuire, Cross, Bowes, and Joyce. Brumagin was absent.

**OFFICIALS PRESENT:** Solicitor Timothy Wachter, Mayor Natalie Wilmoth, Borough Secretary Cindy Wells, and Streets Supervisor Bob Phillips. Police Chief David Pernice and Zoning Officer Dennis Ploss were absent.

**VISITORS PRESENT:** See the sign-in sheet.

**APPROVAL OF AGENDA:** It was moved by Councilor McGuire and seconded by Councilor Cross to adopt the agenda as amended adding a motion to open a checking account and approve the EACOG 2019 audit. Motion carried unanimously.

**MOTION ON MINUTES:** It was moved by Councilor Bowes and seconded by Councilor Joyce that all Councilors having read the minutes from the council meeting July 28, 2020 be approved. Motion carried unanimously.

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

**HEARING OF THE VISITORS:** Jennifer Levins, 107 South Main Street, Union City stated she had questions about the proposed amendment to the Zoning Ordinance at the Public Hearing. Solitictor Wachter stated the hearing had been held at 6:00 PM. The ordinance will be voted on later in this meeting and he could explain it at that time.

Stephen Weber, 6 Hazen Street. He asked what the goal was with the continual grading of Hazen Street. After it rains it’s muddy and then washes away. There is always a drop off at the end of the driveway. He also complained about an altercation with a Borough Employee. Council stated they will follow-up on personnel issues. Street Supervisor Bob Phillips said they grade the street to eliminate potholes and then brine to eliminate

the dust. Salt water isn't as effective as the brine that had been used in the past. He said he disagrees there is a drop off at the end of the driveway and said that he would look at that location.

**PETITION FROM RESIDENTS ON O'DELL STREET FROM JULY 14, 2020 MEETING:** RE: Request O'Dell Street be paved. No response has been issued. Cross Paving is to provide an estimate for paving.

**CONCERN FORMS:** Council reviewed the Concern Forms and had no questions.

**CODE ENFORCEMENT:** Code Enforcement Report for July 2020 was provided there were no questions.

**ZONING OFFICER:** Zoning Report for July was provided.

**MAYOR NATALIE WILMOTH:** The Mayor had no reports or recommendations.

**SOLICITOR WACHTER:** The Solicitor had no reports or recommendations.

**STREET SUPERVISOR:**

**STREET SWEEPER:** City of Erie will accept \$16,000 for the better Pelican Street Sweeper. We received two quotes for hauling from Erie to Union City. One from Ed Musgrave Excavating and the other Musieks.

**MOTION TO APPROVE THE PURCHASE OF A USED PELICAN STREET SWEEPER FROM THE CITY OF ERIE FOR THE AMOUNT OF \$16,000 AND APPROVE MUSGRAVE EXCAVATING TO HAUL IT FROM ERIE TO UNION CITY FOR THE AMOUNT OF \$200.** It was moved by Councilor Bowes and seconded by Councilor Crossto approve the purchase of a used Pelican Street Sweeper from the City of Erie for the amount of \$16,000 and approve Musgrave Excavating to haul it from Erie to Union City for the amount of \$200. Motion carried unanimously.

**COMPLAINT ABOUT STORM WATER ON FIFTH AVENUE:** Dick Hasbrouck asked if the Borough was going to put the storm sewer drain on Fifth Avenue that had been talked about previously. Council agreed to wait and add it to the 2021 budget.

**BOROUGH SECRETARY:**

**NEW CHECKING ACCOUNT:** The \$49,375 from ECGRA for the Anchor Building Grant has been received. Request to open a separate checking account for these funds. It makes it easier to track the expenses for the grant funding and it won't be spent until possibly 2021.

**MOTION TO OPEN A CHECKING ACCOUNT FOR THE ANCHOR BUILDING GRANT MONEY RECEIVED FROM ECGRA AT NORTHWEST BANK.** It was moved by Councilor Bowes and seconded by Councilor McGuire to open a checking account for the Anchor Building Grant Money received from ECGRA at Northwest Bank. Motion carried unanimously.

**MOTION FOR A RESOLUTION TO APPROVE THE EACOG 2019 AUDIT REPORTS.** It was moved by Councilor Bowes and seconded by Councilor Cross to pass a resolution approving the EACOG 2019 Audit Reports. Motion carried unanimously.

**ADMINISTRATIVE:**

**PROPOSED AMENDMENT TO THE ZONING ORDINANCE:** The amendment provides amendments to section 202, 302.02, 302.07, 505, 1101.01, 1101.02, 1101.03, 1101.04, 1101.05, 1101.06, 1101.08, 1101.09, 404(B), and 502. A Public Hearing was advertised and held August 11, 2020 at 6:30PM. Letters were sent to property owners affected by the changes to the zoning map notifying them of the Public Hearing. It was sent to Union Area Planning Commission for review and comment and to Erie County Planning Department for review and comment.

**MOTION TO PASS THE PROPOSED AMENDMENT TO THE ZONING ORDINANCE AMENDING BOROUGH ORDINANCE NO. 1118, GENERALLY KNOWN AS THE ZONING ORDINANCE, AMENDING SECTION 202, ENTITLED SPECIFIC TERMS, TO REVISE DEFINITIONS FOR SHORT-TERM RENTAL; AMENDING SECTION 302.02, ENTITLED PERMIT EXEMPTIONS, TO PROVIDE AN EXCEPTION FOR SHEDS; AMENDING SECTION 302.07, ENTITLED CERTIFICATE OF USE AND OCCUPANCY, TO ELIMINATE A REQUIREMENT REGARDING USE CERTIFICATES; AMENDING SECTION 505, ENTITLED DISTRICT USE TABLE, TO PROVIDE A SPECIAL EXCEPTION FOR SHORT-TERM RENTALS; AMENDING SECTION 1101.01, ENTITLED DEFINITIONS SPECIFIC TO WIRELESS COMMUNICATION FACILITIES, TO PROVIDE FOR REVISED DEFINITIONS FOR CERTAIN TERMS; AMENDING SECTION 1101.02, ENTITLED HISTORIC BUILDINGS OR DISTRICTS, TO PROVIDE FOR REVISED DEFINITIONS REGARDING WIRELESS COMMUNICATION FACILITIES; AMENDING SECTION 1101.03, ENTITLED BULK AND AREA REQUIREMENTS, TO REMOVE LANGUAGE REGARDING "TOWER-BASED" FACILITIES; AMENDING SECTION 1101.04, ENTITLED DESIGN, CONSTRUCTION, AND OPERATIONS, TO PROVIDE FOR SMALL WIRELESS FACILITIES AND TO REMOVE LANGUAGE REGARDING "TOWER-BASED" FACILITIES; AMENDING SECTION 1101.05, ENTITLED AESTHETICS, COLLOCATION, OR MODIFICATION, TO REMOVE LANGUAGE REGARDING "TOWER-BASED" FACILITIES; AMENDING SECTION 1101.06, ENTITLED REPLACEMENT, COLLOCATION, OR MODIFICATION, TO INCLUDE SMALL WIRELESS FACILITIES AND TO REVISE STANDARDS FOR COLLOCATION OF WIRELESS FACILITIES; AMENDING SECTION 1101.07, ENTITLED PERMIT REQUIREMENTS, TO PROVIDE FOR SMALL WIRELESS FACILITIES, REMOVE LANGUAGE REGARDING "TOWER-BASED" FACILITIES, AND REVISE THE PERMIT REVIEW PROCESS; AMENDING SECTION 1101.08, ENTITLED DISCONTINUATION, ABANDONMENT AND REMOVAL, TO PROVIDE FOR SMALL WIRELESS FACILITIES; ESTABLISHING SECTION 1101.09, ENTITLED FEES; AMENDING SECTION 404(B), ENTITLED EXTENSIONS, EXPANSIONS AND ENLARGEMENTS RELATING TO NONCONFORMING USES TO RESTRICT THE EXTENSION, EXPANSION AND ENLARGEMENT OF NONCONFORMING USES; AMENDING SECTION 502, ENTITLED ZONING MAP, TO ALLOW FOR A FEE TO BE CHARGED WHEN AMENDING THE ZONING MAP AT THE REQUEST OF A PROPERTY OWNER; ADOPTING AN UPDATED ZONING MAP, CHANGING CERTAIN PORTIONS OF THE ZONING AREAS OF THE BOROUGH FROM R2 RESIDENTIAL AREA TO RLB RESIDENTIAL LIMITED BUSINESS; AND PROVIDING FOR**

**A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.** It was moved by Councilor Cross and seconded by Councilor McGuire to pass the proposed amendment to Zoning Ordinance 1118. Motion carried unanimously.

**CONTRACT WITH RACCOON REFUSE:** Council requested that a proposal to Raccoon Refuse be made to continue the current contract, holding the price, with unlimited pick-up and recycling and the Borough would not go out for bid. Raccoon Refuse has verbally agreed and wanted to know if Council would agree to a 3-year contract.

Solicitor Wachter said he needed to review the contract and the bid documents to be sure it can be soul sourced without a bid.

**PERSONNEL AND PLANNING:** The Liaison of Personnel and Planning will make any reports or Recommendations he may have.

**EXECUTIVE SESSION TO DISCUSS PERSONNEL:** Council went into Executive Session from 7:52 – 8:21 to discuss personnel with possible action to be taken.

**EMS, FIRE & EMERGENCY MANAGEMENT CO-ORDINATOR:** The Liaison for EMS/Fire had no reports or recommendations.

**PARKS AND RECREATION:** The Liaison for Parks and Recreation Fire had no reports or recommendations.

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

**ADJOURNMENT:** It was moved by Councilor Bowes and seconded by Councilor McGuire that the meeting be adjourned. The meeting adjourned at 8:22 P.M.\_

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ATTEST