

**MINUTES
UNION CITY BOROUGH
JUNE 14, 2022**

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 5:58 P.M. by Councilor Cross. The meeting was at the First United Methodist Church, 42 East High Street, Union City. The meeting opened with the Pledge of Allegiance and a moment of silence.

COUNCILORS PRESENT were Cross, Joyce, Warner, and Winkler. Brumagin was present by phone. Douglas, and Bowes were absent.

OFFICIALS PRESENT were Solicitor, Tim Wachter; Mayor, Natalie Wilmoth; Borough Manager, Cindy Wells; and Streets Supervisor, Bob Phillips.

APPROVAL OF AGENDA: Motion made by Councilor Joyce and seconded by Councilor Warner to adopt the agenda as amended, to include discussion concerning an easement on the Union City Chair Property. Motion carried unanimously.

MOTION ON MINUTES: Motion made by Councilor Warner and seconded by Councilor Joyce that all Councilors, having read the minutes, approve Council Meeting minutes from May 10, 2022. Motion carried unanimously.

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

MOTION ON BILLS: Motion made by Councilor Warner and seconded by Councilor Winkler that the unpaid bills be ordered paid and those paid be approved. Motion carried unanimously.

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

ZONING OFFICER: Zoning Report for May 2022 was provided and there were no questions.

CODE ENFORCEMENT: Code Enforcement Report for May 2022 was provided and there were no questions.

SOLICITOR: The Solicitor provided information on an ordinance that will increase the indebtedness of the Borough in the amount of \$235,000 for the purchase of a Johnston V65T Street Sweeper.

MOTION TO APPROVE AN ORDINANCE INCREASING THE INDEBTEDNESS BY ISSUE OF A GENERAL OBLIGATION NOTE IN THE AMOUNT OF \$235,000 FOR THE PURCHASE OF A JOHNSTON V65T CHASSIS MOUNTED VACCUUM STREET SWEEPER. Motion made by Councilor Brumagin and seconded by Councilor Joyce. Motion carried unanimously.

MAYOR NATALIE WILMOTH: The Mayor provided updates on the following:

Civil Service Testing Update – Four candidates, three tested and 2 passed the written test.

Oral Exams are scheduled for June 27, 2022.

Clean-up Day Update – There were two teachers and five students that participated.

Union Township Concurrent Jurisdiction Agreement – PSP has agreed, and the draft will be provided at the next Council meeting.

Police Reports were reviewed – It was noted that the numbers were low.

STREET SUPERVISOR: The Street Supervisor reported on the clean-up that was completed after the rainstorm. The storm affected the back yard of 49 Putnam Street and a section of Putnam Street that was severely washed. At 49 Putnam there is a storm sewer drain that wasn't able to take all the water and diverted the water around it and left stones and other debris. Bob will talk to the property owner. The section that was washed out on Putnam Street was between Warden Street and around the curve on the south side. It needed repaired and was able to be done during other paving projects. Public Works employee Malachi Murphy is continuing with his CDL testing.

RETRO ACTIVE MOTION TO APPROVE AN ADDITIONAL 6' STRIP FOR PAVING ON PUTNAM STREET BETWEEN WARDEN STREET AND AROUND THE CURVE, ON THE SOUTH SIDE, FOR APPROXIMATELY \$3,160. Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

Trees on Waterford Street – The trees keep the street shaded and it doesn't dry out. Estimate from the J's Tree Service is \$3600 to remove 6 trees and 2 branches and an additional \$1600 to remove 2 pine trees. This doesn't include stump removal. Property owners are in agreement.

MOTION TO HAVE J'S TREE SERVICE REMOVE 8 TREES AND BRANCHES ON WATERFORD STREET FOR A TOTAL OF \$5,200. Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

BOROUGH MANAGER:

MISCELLANEOUS UPDATES:

ERIE COUNTY PLANNING – Hazard Mitigation Plan Update – Invitation to Participate in meeting

WESTERN NY & PA RAILROAD – 4th Avenue crossing – repairs week of June 20, 2022

RESIGNATION LETTER FROM COUNCILOR GREG BOWES: Councilor Bowes is resigning his position on Council as of June 30, 2022.

MOTION TO ACCEPT RESIGNATION OF COUNCILOR GREG BOWES, EFFECTIVE JUNE 30, 2022. Motion made by Councilor Winkler and seconded by Councilor Warner. Motion carried unanimously.

APPOINTMENT TO FILL VACANCY ON BOROUGH COUNCIL: Tracy Daggett is willing to fill the vacancy left by the resignation of Greg Bowes.

MOTION TO APPOINT TRACY DAGGETT TO FULL-FILL THE TERM OF GREG BOWES WHICH ENDS DECEMBER 31, 2023. Motion made by Councilor Warner and seconded by Councilor Winkler. Motion carried unanimously.

RESIGNATION LETTER FROM DAVE HIMES, PUBLIC WORKS: Dave Himes submitted a letter of resignation with the last day of work as June 10, 2022.

MOTION TO ACCEPT RESIGNATION OF DAVE HIMES, PUBLIC WORKS EFFECTIVE HIS LAST DAY OF WORK JUNE 10, 2022. Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

RESIGNATION LETTER FROM JASON SAYERS, ZONING OFFICER: Jason submitted a letter of resignation effective June 30, 2022. The opening is being advertised in The Journal and has been posted on social media. The Borough Manager talked to Phil Conklin who is interested. Council will wait until the June 28, 2022 Council meeting to vote on Phil Conklin.

MOTION TO ACCEPT THE LETTER OF RESIGNATION FROM JASON SAYERS, ZONING OFFICER, EFFECTIVE JUNE 30, 2022. Motion made by Councilor Warner and seconded by Councilor Joyce. Motion carried unanimously.

ADDITIONAL HELP IN PUBLIC WORKS: As Borough Manager Cindy interviewed Terry Ranyak to work on an as-needed basis. Terry started working on June 8, 2022 at the rate of \$18.00 per hour.

RETRO-ACTIVE MOTION APPROVING THE BOROUGH MANAGERS HIRING OF TERRY RANYAK TO WORK ON AN AS-NEEDED BASIS AT \$18.00 IN DEPARTMENT OF PUBLIC WORKS. Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

EMPLOYEE REQUEST TO COVER THE \$500 COST OF SAP: There were two \$250 charges which were submitted to the insurance company. The first charge was allowed at \$156.75 and was applied towards a \$250.00 deductible leaving a balance of \$93.25 uncovered by insurance. The second charge has not been determined by the insurance company because they are waiting on information from the provider. If it is processed the same way, which is likely, the insurance will pay the insured \$93.25.

MOTION TO PAY THE EMPLOYEE \$436.50 TOWARDS THE COST OF AN SAP: Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

PROPERTY EASEMENT WITH UNION CITY CHAIR: Property Owner Lance Johnson is interested in providing a property easement on the Union City Chair property allowing a trail to be placed along French Creek. Council agreed to proceed with the Solicitor writing an easement.

BRIDGE INSPECTIONS - PLEASANT STREET BRIDGE: Per Mark Bredl, Assistant District Bridge Engineer with PennDOT, stated that he "Field viewed the Pleasant Street Bridge on May 13, 2022 and found the reinforced culvert under fill is classified to be in "good" condition. Therefore, this bridge will not qualify for Act 13 funding". He provided photos also.

WILLOW STREET BRIDGE: Mark completed a field view inspection. He felt overall it was in fair condition but recommended having PennDOT completed a full inspection. He said the sidewalk is out of the scope of the inspection because it is considered a pedestrian bridge. On June 9,

2022 PennDOT did a complete inspection and found that it is classified as poor (structurally deficient) and meets the criteria for Act 13.

Since this bridge meets the criteria for Act 13, the next step is an engineer to outline the repair or replacement plan, and include elevations, that will correct the deficiency and submit an application to the County under the At-Risk Bridge Program. An engineer inspection should not be needed because of the Inspection Summary that was provided by PennDOT. This program is a 60/40 match. Council needs to determine if they want to have GPI complete the necessary documents and submit the application. It was discussed to also get an estimate from Burgess & Niple.

MOTION TO GET QUOTES FROM GPI AND BURGESS & NIPLE TO COMPLETE THE NECESSARY DOCUMENTS AND SUBMIT THE APPLICATION TO ERIE COUNTY AT-RISK BRIDGE PROGRAM. Motion made by Councilor Joyce and seconded by Councilor Brumagin. Motion carried unanimously.

UC PRIDE – GATEWAY PROJECT: UC Pride has published the RFP for Phase 2 of the Gateway Project which includes the removal of the Dinor along with other portions of the project. Also included is the removal of the staircase along-side the Salvation Army to the parking lot. This staircase is not in good condition and will eventually be replaced. The replacement is not in the phase 2 of this project. Council needs to approve the removal of the stairs.

MOTION PROVIDING UNION CITY PRIDE, INC THE APPROVAL TO REMOVE THE STAIRCASE NEXT TO THE SALVATION ARMY ON WEST HIGH STREET TO MUNICIPAL LOT 1, DURING PHASE 2 OF THE GATEWAY PROJECT AT NO COST TO THE BOROUGH. Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

PROPOSED ORDINANCES: The ordinances were advertised June 2, 2022. The public hearing for the Zoning Ordinance was held June 14, 2022 at 5:30 PM.

MOTION TO APPROVE THE PROPOSED ORDINANCE ALLOWING CHICKENS WITHIN THE BOROUGH AND REQUIRE AN ANNUAL PERMIT AND OTHER REGULATIONS. Motion made by Councilor Joyce and seconded by Councilor Winkler. Roll call vote with Cross, Brumagin, Winkler and Joyce voting yes and Warner voting no. Motion carried.

MOTION TO APPROVE THE PROPOSED AMENDMENT TO ZONING ORDINANCE 1118 REGARDING SMALL WIRELESS FACILITIES, DELETING SECTION 305(B)(4), CLARIFICATION OF GREENHOUSES, NEW MIXED-USE DISTRICT, REGULATING OWNERSHIP OF CHICKENS. Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

MOTION TO APPROVE AN AMENDMENT TO ZONING ORDINANCE 1118 AMENDING THE ZONING MAP FOR PARCEL 41003004001601 FROM C2 COMERCIAL TO RLB RESIDENTIAL LIMITED BUSINESS. Motion made by Councilor Joyce and seconded by Councilor Warner. Motion carried unanimously.

MOTION TO APPROVE THE PROPOSED AMENDMENT TO QUALITY-OF-LIFE ORDINANCE 1111 PROVIDING FOR ENFORCEMENT OF THE CHICKEN ORDINANCE, AND THE ADDITION OF A \$600 FINE FOR THE SIXTH OFFENSE AND ALL SUBSEQUENT. Motion made by Councilor Joyce and seconded

by Councilor Warner. Motion carried unanimously.

MOTION FOR A RESOLUTION (2022-11) TO ADOPT THE 2022 CITY BUILDING FEASIBILITY STUDY AS AN OFFICIAL REFERENCE DOCUMENT OF THE BOROUGH OF UNION CITY. Motion made by Councilor Joyce and seconded by Councilor Winkler. Motion carried unanimously.

MOTION FOR A RESOLUTION (2022-12) AUTHORIZING CINDY WELLS, BOROUGH MANAGER TO SIGN THE TASA AGREEMENT ON BEHALF OF THE UNION CITY BOROUGH. Motion made by Councilor Brumagin and seconded by Councilor Joyce. Motion carried unanimously.

RESOLUTION UPDATING THE BOROUGH FEE SCHEDULE: A fee must be set for Wireless Utility Fee Schedule and a fee for chicken permits and driveway permits.

MOTION TO APPROVE A RESOLUTION (2022-13) FOR THE GENERAL BOROUGH FEE SCHEDULE SETTING THE WIRELESS UTILITY FEE SCHEDULE AND THE FEE FOR CHICKEN PERMITS AND DRIVEWAY PERMITS. Motion made by Councilor Brumagin and seconded by Councilor Joyce. Motion carried unanimously.

ERIE COUNTY TAX CLAIM OFFICE – OFFER TO PURCHASE PARCEL 41-01-038.0-009.00 HEMLOCK STREET. Union City Pride has made an offer to purchase the landlocked parcel for \$250. They already own a landlocked parcel next to this.

MOTION TO APPROVE THE REQUEST FROM UNION CITY PRIDE, INC. TO PURCHASE PARCEL 41-011-038.0-009.00 HEMLOCK STREET, FROM ERIE COUNTY FOR THE AMOUNT OF \$250. Motion made by Councilor Brumagin and seconded by Councilor Winkler. Motion carried unanimously.

33 CENTER STREET – REQUEST ZONING CHANGE – A request has been received from Eric Glover, 31 Center Street to re-zone parcel #42-016-084.0-012.00, known as 33 Center Street, from C2 Commercial to R2 Urban Residential. After the rezoning it will be combined with 31 Center Street to allow for ease of access for further property development. Need Council approval to have the ordinance written, sent to County Planning and Union Planning, schedule public hearing and advertise ordinance. Council agreed to proceed with the process to change.

ADMINISTRATION: Council President had no reports or recommendations.

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

ADJOURNMENT: It was moved by Councilor Brumagin and seconded by Councilor Joyce that the meeting be adjourned. The meeting adjourned at 7:08 P.M.

EXECUTIVE SESSION: Executive Session to discuss real estate with no action to be taken was from 7:10 – 7:30 PM

ATTEST