

**Marietta Borough Council
Minutes of Meeting held September 8, 2015
113 East Market Street, Marietta, PA**

President Renninger opened the meeting with Council member Foreman, Kramer, Davis, Overlander, Hannold, and Mayor Vegso present called the regularly scheduled monthly meeting of the Marietta Borough Council to order at 7:00 PM. Absent from the meeting was Council member Roberts. The meeting opened with a moment of silence followed by the pledge of allegiance.

The minutes of the August 11, 2015 Council meeting were unanimously approved as presented.

PUBLIC SESSION

Mark Harman – ARRO Consulting – Mark brought up that he shared a memo with Council regarding to things that have come up over the years such as to set backs and accessory structures, number of animals in the borough and there are a series of issues that have come up. He did speak with the consultant and he requested some language be put in the new Zoning Ordinance. One of his concerns and he wanted to get across was to bring up these issues to Council that he has been dealing with in the past and to make sure these issues are addressed in the new Zoning Ordinance before Council passes it through. He would like the opportunity to review the new Zoning Ordinance to make sure these issues are addressed and that he has time to get back to Council. He knows it slows the process down but he feels that the County reviews for concepts if down the road we adopt or add any additional language it will need to go back to the County again for review. This process can take up to 45 days each time. So we want to make sure that we have things addressed before we send the Zoning Ordinance to Lancaster County for review. Some of the issues that he has brought up are products of issues with the current Zoning Ordinance. He doesn't want to slow things down but his concerns are more policy questions and no one can answer them except Council.

President Renninger stated that some of these other Ordinances can be addressed in the Borough Ordinance Book and because it has not been reviewed and up to date to do the Zoning and it should be addressed in one set of Ordinances or the other. We need to decide which needs to be reviewed and updated. What items should be incorporate into zoning.

Mark stated that anytime there is a gray area it creates problems and there is Ordinance language that the current Zoning Ordinance has and the revised Ordinance does not have. If it doesn't specify it creates a problem to enforce. He looks at the black and white and he moves forward with that. A gray area for example is a pet, what is a common pet and how is the Borough going to identify that. If the Ordinance is adopted as it stands there would be a lot of language that would not be in place and we would have a window where we wouldn't be able to control anything.

President Renninger stated that another big component of that is the Flood Ordinance. Our current zoning encompasses the Borough's Flood Ordinance and in the new Ordinance it barely referenced a Flood Ordinance. Without that language we would be jeopardizing people from qualifying for flood insurance.

Mark stated that if the borough moves forward and does not have the ordinance in place to be a problem. He would suggest that Mike Davis our solicitor take a look at the Flood Plan Ordinance and do a review on it because the Ordinance was adopted in 2001. He wants to make sure that what we have is the latest and what we have meets the minimum requirements for the flood insurance. There may be additional information that Council may want to add based on previous experience.

Council member Overlander stated that he has not seen the update but he remembers at the meeting

that AJ stated that he took the flood ordinance out and then he was going to put it back.

Del Ellsworth from the Planning Commission stated that the Smart Code Ordinance has a statement that it is not intended that this revised Zoning Ordinance replaces or interferes with any existing ordinance or with any rule the Borough of Marietta adopted or issues. If this Ordinance imposes greater restrictions upon the user of buildings or land, then the provisions of this ordinance will supersede. It doesn't address every ordinance.

Mark stated that the only ordinance that we have in place is the Zoning Ordinance so when this is pushed aside then the language doesn't mean a lot. The language assumes that you have a separate stand-alone ordinance, which was initially the way they were planning but didn't go in that direction and put it back in. Again he hasn't read the entire ordinance. Once we have the ordinance in place then we have the Borough covered and then it becomes a legal question and we have Council look at it.

President Renninger stated that what she is getting from this is that it is premature for Council to make a move to push this to County because we have more work to do on it. A thirty day review period we should be able to address this at the October Council meeting.

Mark stated that you don't gain anything by sending it now. We should get it where you want it then have the County review it. The wording in the current Ordinance was done twenty years ago and some of the wording needs to be updated. We want to make sure that revised zoning is correct before we forward it to the County.

Mayor Vegso stated that the first step is to get a printed copy to everyone.

President Renninger asked Mr. Ellsworth if he could get a definitive answer from Ken Gall and AJ from EPD on their final proposal to review. Today they received a three page memo from Ken Gall that they said they updated. It would be nice to know if the version on the internet is the final version for council to review that said it was updated.

Mark stated that he would like to see a comprehensive document, not just updates. One other thing that would be helpful is that he was there for some of the meetings and he doesn't know if a comment was inserted or how it was inserted or if it was deleted. When AJ is doing this and if something is changed due to a comment could be some type of reference.

Carl Jones - 619 W. Market Street - With the ordinance that the Borough wants to pass, the Borough should take a look to the left and down to right on what is going on. We shouldn't be passing things that are going to affect other people. He gets water in his yard from the 4 bay garages that Kushner put in. When you give a permit out you should look a little further to make sure that it is not going to affect someone down the street.

President Renninger stated that if we revise the ordinance and it is done correctly then hopefully we eliminate a lot of issues that have bad impact on neighbors and this is what Mark Harman is trying to help the Borough do.

Mayor Vegso stated that there is a number of places in the Borough that have storm water problems and the part that Carl is addressing is that when we allow things to happen we need to not only look at the setbacks but also the consequences of storm water affecting other people. The study that the Borough is going to start will help.

Glenn Orr – Pioneer Fire Company – he is coming before Council this evening to ask Council to abate the tie in cost for the new sewer line connection for the new addition. They already went to the Donegal Joint Sewer Authority and they abated their cost and they are coming in front of Council to ask if Council would abate Marietta's fee.

Mayor Vegso asked if it is that it won't be a case that no one will get that money or will it be a case that it will cost the Borough the \$4000.00?

President Renninger stated that it is almost \$4,000.00 and it is typically \$350.00 that the Borough gets out of this money and this is the permitting fees. This is not free sewer hookup.

Glenn Orr stated that they didn't realize that this would be an additional fee.

President Renninger called for a motion.

Council member Davis made the motion to abate the fees with a second by Council member Overlander. Motion carries.

Leah Nagel – 224 East Market Street – She put a lot of thought in upcoming weather and Lumber Avenue she has gathered a petition and twenty one people would like Lumber Avenue paved.

Council member Hannold stated that she has just taken this job over and the road crew has made a list of roads that need to be taken care of and Lumber Avenue is at the top of the list. In all honesty it is too late to do anything this year. To get things bid out and then have the work scheduled is realistically not going to happen. With that being said there are a couple of alleys that we have been talking around some ideas and what is the most cost effective way to accomplish the most. She is going to look at the process like we did on Hazel Avenue where we reclaimed it. We don't know if we would do the full paving or if we would tar and chip it. This would only pertain to alleys. This is because they are not heavily traveled. If you would pave one mile, twenty-four feet in width it would cost you to do tar and chip a cost of about \$60,000. If you did that same mile and did it with 1 ½ inch of black top it would cost you \$360,000. So she is looking at different things. Either way we would not be able to do anything until next year.

Mayor Vegso stated that whatever we do we want to have it walkable and wheel chair friendly. This is definitely something that we need to keep in mind. If we do it, we need to do it right.

Council member Davis stated Lumber is basically in his back yard and there are a lot of residents that front that ally. This should be a priority because a lot of people use this ally. If stone and chipping is all we can afford then it should be a priority and for winter.

Paul Myers – 34 Lumber Avenue – he asked if you can tar and chip dirt, because that is basically what Lumber Avenue is. There is no asphalt left. If it cannot hold a cold patch don't see how a tar and chip would help. Half the people on Chestnut Street use it and half of Market Street uses it. There is also a four wheeler that is riding back there now.

Council member Hannold stated that before you can do any road project you have to take your core samples, you have to reclaim the road and make sure that is right. The testing would tell you if these things could be done. This would be all looked at before we make our final determination. Lumber Avenue is a high priority.

President Renninger stated that she has also been aware that the list has been drawn up a while back and other projects were ahead of this and we are aware that you need it. We are still getting out from under some other major things that we have done.

Paul Myers stated that everyone that has signed that petition uses Lumber Avenue and he was going to let us go for the rest of the year because he felt we probably won't be able to get to it.

Council member Overlander stated that you may want to be cautious when or if we do tar and chipping. There is no base on the road and he would like to see the Borough do a better job and maybe do it in phases.

Council member Hannold stated that the tar and chipping is done with the same material but it is applied in a different manor. Whichever one you choose the base needs to be completed the same way. You have to have that solid base.

Karen Sullivan – 120 Waterford Avenue – you stated that you wanted invoices submitted for driveways and trees on Fairview Avenue and will that be discussed this evening? Will there be a special meeting to review this information.

Council member Hannold stated that she sat down that day with Sharon Bradnick for three (3) hours today going through all the receipts and making sure the measurements that Jim Sargen and Sharon Bradnick had come up with that is the transition area and that they match with the receipts. We have begun that process and there are a couple of receipts that they are questioning because they were not itemized. She has put a lot time into it and it shouldn't be much longer.

Karen asked if there are any other pictures that are needed. Bridey stated that no they already have the preconstruction pictures.

Sandra Leonard – 545 West Market Street – she wanted to share her experience. Her house was always a store and she used to own a mom and pop store. In the 30's and 40's it was a mom and pop grocery store. She had a store for eight (8) years and then she received a call that she could not have the store any longer. She closed immediately.

Mayor Vegso stated that he looked at this situation and when the new zoning ordinance goes into effect the area that this location is at would be part of the trail zone and she would be able to open back up.

Mark Harman stated that what happens is that anything that is not a permitted use we would see if it is a registered business and if it is not a registered business or rental unit then as far as the Borough is concerned it was never recognized.

Mayor Vegso stated that what he is trying to say is that location is part of the trail zone and that location could be opened back up.

President Renninger stated that the zoning revision will allow for small shops but it is a little premature to say specifically where. What she would say to Sandra is to attend the meetings and give your input. The zoning revision meetings are going to be where the comments are most useful to us. Meetings are advertised and they are on the website or call the office.

Jay Sensenig – 566 East Front Street – Would like to make a few comments on the park on East Front Street. Is there a date set to install speed bumps and the cross walks down there. Also there was a

child missing on East Front Street and he would like to thank everyone that was involved with the search.

Carl Jones – West Market Street – Up at Decatur Street and Market he heard that there was going to be a stop sign put up and no parking signs put up going down Decatur Street. Is that on both sides of the road? Is this going to be a band aid? Where are those cars going to park? That family has two or three vehicles and they are parking them on the hill.

President Renninger stated yes and yes and it will be discussed later.

Lillian Hill – 462 East Front Street – She was speaking with Jay Sensenig about the signs in the street for the playground and this morning we had a power outage and she received a message from PP&L and she didn't know if our ROBO system would have been able to be used.

President Renninger stated that we didn't know anything more than what PP&L knew and that was obvious the power was off. If it was to go a longer term then maybe we could have used the ROBO system. Every time there is a blip we are not going to use the ROBO system.

Dennis Traub – 6 East Hazel Avenue – Where does the ROBO call stand. He was impressed with PP&L they called him three (3) times.

President Renninger stated we are getting on board with this; we still need to set up a process and protocol. Something that has been addressed with staff but staff is very busy.

Council member Hannold asked what his question was, if it is up and running. It is up and running and people can sign up.

Public comment session was closed.

ADMINISTRATIVE/PERSONNEL/FINANCE – President Renninger

President Renninger stated before us is the General Fund Monthly Breakdown dated 9/08/2015 the total general fund accounts are \$929,015.66. A motion by Council member Davis with a second from Council member Hannold, the General Fund Breakdown dated 9/08/2015 was approved as presented.

President Renninger stated the tax collector monthly report for the month of August, turned in by Lillian Hill, Tax Collector collected \$4,963.55. There was a motion from Council member Davis to accept this report with a second by Council member Hannold. Tax report was unanimously approved.

President Renninger stated that she wanted to address that there are a lot of people that have comments, questions and concerns, example the no parking on Decatur Street that has been talked about several council meetings ago. We went through the process in designing and passing the Ordinance and prior to council advertising, approving, buying signs and going through all of that is a good time for the citizens to make comments. We have implemented a system to make it easier on the citizens and on council and office staff. It used to be a complaint form but it is now a concern, comment, suggestion form. People can come into the office and pick up the form. You can write down questions, concerns, suggestions and give it to us in a timely fashion so that we can review it and not be put on the spot and have to give an off the cuff answer to your questions. Hopefully this will help eliminate people coming into the office and holding up the office staff and help the Borough in being more productive.

President Renninger stated that the fire on West Market Street there was a lot of support from other fire companies in the state and she would like to give her heart felt gratitude that there were no injuries in the course of responding to that.

Mayor Vegso stated that the great response we had. Thank you to our fire company for the great response we had. We will send letters out to the other fire companies thanking them. He had over thirty (30) names on the list. He praises everyone involved and special praises to Mick Ebersole and Glenn Orr. As a bystander he was amazed at how smoothly everything ran. A thanks to our police department and our fire police group who we take for granted, also a special thank you for Steve Bailey our emergency management coordinator and Tom Brill with hazmat.

President Renninger stated we received the bids for the construction of the abutment for the bridge over Evans Run on the Borough's portion of the trail. LCSWMA has been managing this project for us. The bridge was fabricated that will be installed. The bids are subject to being reviewed by our solicitor to make sure all documents are complete. The low bid was from Musser Excavating and the cost for the placement of the bridge and doing the concrete abutments is \$130,000. She asked for a motion to keep this moving forward and we accept this bid once our solicitor looks over and makes his recommendations. It was so moved by Council member Overlander with a second by council member Hannold. Motion carries.

STREETS & HIGHWAYS – Council member Hannold

Council member Renninger thanked Sharon for helping her to transition into this role. She has met with Glenn and Bill many times and she is being educated on many things. The Ordinance that was discussed last time for the stop sign and the no motor vehicles at different locations on Front Street and limited parking.

President Renninger stated that Ordinance was introduced by Council in August and was dually advertised and we are going to make a motion to adopt the ordinance that consists of the stop sign on Decatur Street, no parking signs, no unauthorized motor vehicles going across the railroad tracks at South Bank Street, South Chestnut Street, South Gay Street and South Bridge Street, and the limited parking in front of the Senior Housing in the 600 Block of East Market Street. Council member Foreman made the motion with a second by Council member Kramer.

Mayor Vegso stated that we don't have to change anything as long as we had the authority to make it no parking, he doesn't want to cloud things up but the point is valid if we did not do sufficient research to be confident and saying that there should be no parking there. We will need to revisit it.

President Renninger stated that this was a recommendation because of the trail head and they need to keep that area safe for travelers.

President Renninger stated that we need a roll call vote for the passage of the ordinance.

Steve Foreman – aye	Eric Kramer – aye	Mark Davis – nay
Oliver Overlander – aye	Bridey Hannold – aye	Sharon Renninger – aye

Motion carries.

Council member Hannold stated that the paving will be starting soon on Gay Street. We will be milling the intersection on September 14th and paving on September 15th. Also the road crew will be doing some crack sealing on various streets in town on October 5th and October 6th.

Council member Hannold stated that every year the Borough tries to do a little bit of ADA. Fix some ramps throughout town to make sure that the Borough comes into compliance with these issues. This is great for anyone who has to push a cart throughout town. When she took over this position what she found in a file there was a listing on all the ramps and what needed to be done. In our historic commercial district someone inventoried this. On this list there are two areas on the list that have not been completed, they are South Church Street and South Mulberry Avenue. What made sense was to complete these two areas since we are now in September. A local concrete guy will be doing this work this year and will close out this chapter. She noticed that we are missing an inventory on what still needs to be accomplished. She is going to go through town and take pictures of everything that needs to be completed. She will be working on this during the fall and winter so that she is ready to go in the spring.

Council member Hannold stated that next on her list is metered parking. There have been a lot of complaints from residents about the metered parking in town. Jim Sargen looked into this and did graphing and bagging of meters. But there was no resolution to it. Unfortunately the complaints have continued. I do listen to the complaints and she decided to look at what we are dealing with. The meters on West Market Street should stay. We need those to keep the traffic flow moving and keep them open for the businesses that are there. On East Market Street we have one business and there is no other place for businesses. The meters on East Market shouldn't be there. So if you look at the proposed new zoning map this area will be renamed to Market Central but will only be to Waterford Avenue and won't encompass East Market Street. So she would like to make a test run and bag the meters on East Market Street to see if there are any problems with it. Down the road if the proposed zoning passes and we adopt it she would have a really hard time justifying having meters on one block of East Market and nowhere else. She would like to bag them now giving it a test run. The second part of this is that several citizens asked for parking permits for West Market Street. That requires changing the fee schedule and we can't do that until the beginning of year and she will look into it. Parking permits are limited. So she wanted to let everyone know that she will be looking into this more.

President Renninger stated that this is in response to residents that are in the residential district that find it hard to find parking spots.

Council member Hannold stated that the area should not be classified as the business district that would warrant the meters. There are many different components to this. But the main reason to bag the meters on East Market Street is that she doesn't see it being in the business district any longer. We need to leave this go a couple of months to see if the current business suffers or any other things come up.

Council member Davis stated let's just bag the meters for two months to see if there are any issues.

Council member Foreman asked if there could possibly have limited parking signs in front of businesses.

Council member Hannold stated that there is one in front of the deli and there may be others but it would require the ordinance. But it is something to be considered.

President Renninger stated that Mark Davis made a motion with a second by council member Foreman.

Motion carries.

Council member Hannold stated that she wanted to announce last month she is just passing on this information that is called Project Lifesaver. Susquehanna Regional Police works with this program and it

is designed for people that are wanderers. It may be people that suffer from dementia, a child with autism. They give the bracelets which allow others to find them easier. Anyone can pick up the brochure in the office.

BUILDINGS & SPECIAL PROJECTS – Council member Eric Kramer

Council member Kramer stated that he has nothing new. He is waiting for a start date for the lighting project. So he is waiting for them to get back to him.

PARKS & RECREATION – Council member Steve Foreman

Council member Foreman stated that he had a light turnout for movie night and it may have been because of the holiday. This Saturday night the Wizard of Oz will be showing. As far as Front Street goes he has dropped the ball and he still needs to coordinate with the community service guys to help put it in and he needs to get the mulch ordered. It should be this month. The speed bumps range from \$800 to several thousand dollars and we would need signage and this all needs to come together.

PLANNING/ZONING/HOUSING – Council member Oliver Overlander

Council member Overlander stated that all he has is Ken Gall's recommendation to forward the zoning ordinance to the Lancaster County Planning Commission. Council wants to wait till next month to forward this on. Hopefully Mark, Joselle and our solicitor will have changes. Right now it is in Borough Council's hands.

PUBLIC HEALTH & SAFETY – Council member Mark Davis

Mark Davis stated the Pioneer Fire Company responded to twelve (12) QRS calls and thirty (33) Fire Calls for the month of August. He would like to go over the fire that was in the borough. Brandon Smith was the first person on the call. Brandon and Mick ran operations. We need to appreciate the job that they did. They ran from 4:30 in the morning until late into the night and they had 62 apparatus that they coordinated with. Seventeen tankers and he wants them to get credited for what they did. They had two (2) artificial pools that they ran. Two men got exhausted from the heat. He would like to send letters out thanking the other fire companies. Manheim came in to help cover. Farmersville came in to help clean up. The fire has not been determined. Everything went very smoothly.

President Renninger stated that the response was very well orchestrated.

Mick Ebersole, fire chief stated that there was sixty-two (62) pieces of apparatus there and we used over 608,000 gallons of water. Over all he would like to thank the public and the council members that showed up and showed their concerns. Thank you to the public for staying out of the way and giving us water and snacks. Belfor Restoration Company brought in thirty (30) cases of water. Nick's Bistro brought over food. There are a lot of people to thank. To everybody he thanks you. It was a long three (3) days. He also wanted to let people know that there were people that came in and stated that they work with the fire company and they went to the home owners to look at their home to see if they had any damage from the fire. The fire company does not work with any of these people and if there is something wrong the fire company will come to your house. Don't let people come to your house and tell you that the fire company sent them, it is a scam. A person from the fire company would be out if there was any kind of concern.

Ernest Lehman wanted to thank the fire police for standing out in the blistering sun for hours.

Mark Davis stated that he wanted to thank the fire police. Four (4) fire police handled this fire locally. They called in five (5) other units to assist them. A special thanks.

President Renninger stated that this was a big thing for us and let everyone know that we respect what they did.

SEWER & TRASH – Council member Bill Roberts

Council member Overlander gave the report for Council member Robert's absence. He stated the Marietta Sewer Department Savings Account at the end of August has a balance of \$123,476.96 and the Checking account has a balance of \$104,695.17. On a motion by Council member Overlander with a second by Council member Davis, the August Sewer Department Monthly Breakdown was unanimously approved as presented.

The Borough recycled 25,560 pounds of recyclables for August. On a motion by Council member Overlander with a second by Council member Davis, the August Recycling Report was unanimously approved as presented.

MAYOR'S REPORT - Mayor Ray Vegso

Mayor Vegso stated that the police reports are in the box. One of the things that he wanted to mention is that we have a drug problem all over the country. He read the figure that in Pennsylvania that seven (7) people a day die. We need to be all attentive to this. It is hard to deal with but we want to find ways to educate and prevent. At the same time you all have eyes and ears and if you see or hear about a drug deal going down, please don't hesitate to contact the police. The police do have now the drug to stray in the nose for people that are overdosing. The next Police meeting will be Friday, October 2 and will be held in Conoy. Not to many people come at 8:30 in the morning, but please come it is better to have input directly to the Police Chief. Anytime during the month if anything comes up please contact the Chief, don't hold back.

Mayor Vegso stated that he was at the meeting this morning of our Marietta Business Associates and they asked if he would make the announcement that they are having their 2nd Annual Meeting at the Community House on Tuesday, October 20th at 5:00 to 7:00 PM. This is open to all business people in Marietta.

Mayor Vegso wanted to mention quickly that he doesn't know how many people shop for their electric rates. He just did it for himself and he is going to save \$20 a month. It's worth a quick check on the internet and he encourages everyone to do that. He has started the process on what the Borough is paying and he just received some information and we can save by changing suppliers. You have fixed rates and variable rates. He is going to check on the gas usage.

Mayor Vegso made a quick comment that fall is coming and leaves and grass is getting thrown in the street and may clog up our sewer systems. Just be aware of that. He also was told by Borough staff the October 31 will be the first leaf pickup for free.

There being no further business to come before Council, the meeting adjourned at 9:10 PM on a motion by Council member Overlander with a second by Council member Hannold.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer