

Marietta Borough Council
Minutes of Meeting held August 13, 2019
113 East Market Street, Marietta, PA

President Mazis with Council members Marsh, Dalzell, Shambaugh, States, McKinney, Angelo, Mayor Kulman and Solicitor Harter present called the regularly scheduled monthly meeting of the Marietta Borough Council to order at 7:00 PM. The meeting opened with a moment of silence followed by the pledge of allegiance.

PUBLIC HEARING

The Borough solicitor explained that the purpose of the public hearing is in response to last month's advertising the vacating of a portion of South Jones Street and an unnamed alley at 421 W. Market Street. This will be voted on later in the standing committee reports.

Solicitor Bernadette Hohenadel stated they come before Borough Council to ask for council to vacate the portion of South Jones Street from Hazel Avenue to the railroad and the unnamed alley that is on the property at 421 W. Market Street. Doug Matthews with DM/A Associates presented pictures of the property and the streets that they are asking the council to vacate. He went over the project and what is being presented for the property. He explained that this street and alley were actual streets and existed only as "paper" streets.

Carl Jones asked if they contacted the owners that their property butts up to these alleys. The response to his question was that the property on both sides of the alley are owned by Rail Trail Partners.

Oliver Overlander – How much is the total count of apartments are there going to be? Are they section 8? If you go by 2 cars per apartment, then this is something the borough needs to address. He was told that there would be 170 dwellings, they were all "market rate", and the proper number of parking spaces was provided within the property itself in the parking areas.

Fred Gabriel – He understands that each unit will need to be certified that they are cleared through FEMA? Doug with DM/A Associates stated that each building is above the 100-year flood elevation and they will not need to be cleared.

Sharon confirmed that the hearing was duly advertised.

PUBLIC COMMENT

Rich Kushner – Marietta Bike Race – On behalf of the Marietta Bike Race he would like to make their annual donation to the Borough, Fire Company and Special Fire Police.

Carl Jones – West Market Street – When you go out to Rt. 23 and Rt. 441 you set there for hours. Can you look into the timing of the light. Sharon stated that she would call up to East Donegal Township to have them check on the timing.

Ray Vegso – 50 N. Pine Street – He has an interest in the flap valve project and we should have a meeting for this project including all the technical details and he would like to review this with the engineer, and he has some serious questions.

Oliver Overlander – Front Street - In reference to the flap valves, he offered congratulations to the Council for receiving the grant. It is his understanding that this is a stand-alone project.

Hopefully, he urged further grants to get money for the second phase for the flood gates and the third phase is a pumping station at Evans Run. He thinks council should get their ducks in a row and have a meeting at least to the home owners on Front Street. He is sure there are a lot of people on Front Street that does not know that we received the grant. Last month there has been a notable present of police on Front Street. President Mazis said that tonight was the official announcement of obtaining the grant as there was a need to wait for the official word to come through.

Linda Ross – Fairview Avenue – Our new website will be discussed tonight, and we need to make sure that we can answer questions for visitors. There is no reference to planning commission on the web site.

President Mazis closed public comment.

MINUTES FOR APPROVAL

President Mazis asked for a motion to approve the July council meeting minutes. Council member Dalzell made a motion to approve the July council minutes with a second by Council member McKinney. Motion carries unanimously by voice vote.

ANNOUNCEMENTS

President Mazis stated that on the third try that we were granted the \$459,850.00 grant from the Department of Economic Development to install the flap valves and also upgrade the 26 out falls and put end walls on them. He learned a lot about writing grants, that you not only need to have your grant marked highly but you also need political clout. It was funded this time because we were supported in a bipartisan way by public officials and Mazis expressed gratitude to the county commissioners, county planning commissioners and particularly to Representative Hickernell, State Senator Aument, and Congressman Smucker who all made time to meet and then all spoke highly for us. In concerns of Oliver's question about when we will start, we should be receiving the money very soon and we will be putting the project out for bid in the fall to start the project in the spring.

The Marietta Garden Tour is September 8th from 11:00 – 4:00. Tickets are available before hand or the day of the tour.

The sub-committee of the planning commission has been meeting with the Rail Trail Partners on the architectural design of the building on Front Street to insure that they match the character of the block and do not appear as a single building but give the illusion of being a series of dwellings. It is something that fits into the street scape.

President Mazis stated to the Council that it is helpful if everyone gets their things into the office before the packets are put together on the Friday before the meeting. Also, please go into the office if you have any questions our staff is there to give you the background on things. In the back room is a resource that has the history with a lot of these issues. Finally, pick up the packets the weekend before the meeting and review the materials.

REPORTS

Fire Police/EMA – Steve Bailey – Steve was sick and Sharon gave his report. They had 3 calls, 4 officers, 4.5 hours on fire and fire related. They had 6 calls, 17 officers, and 50 hours on accidents. Meetings, trainings 3 calls, 8 officers, 11 hours. They had a total for July of 16 calls, 45 officers,

and 159.5 duty hours. The Chickies Challenge race was in town last Saturday, everything went well. The people who coordinated it were all new and lacked experience. He made suggestions to them for next year. He did not get a reply to his suggestions.

Pioneer Fire Company – Bryan Smith – They ran twenty (20) fire calls and twenty (20) QRS calls for a total of forty (40) calls for July. They are holding a chicken barbeque on Saturday.

Pioneer Fire Company Financial Statement – Robert Shambaugh – Council Shambaugh stated that the balance as of July 22, 2019 was \$16,277.28. Council member Dalzell made the motion to accept the report as presented with a second by Council member Angelo. Motion carries unanimously by voice vote.

Sewer –Freddy States – Council member States report was dated July 2019. The sewer fund has a savings account balance of \$178,869.55 and a checking account balance of \$7,282.48. Council member States motioned to accept the report as presented with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Recycling –Freddy States – Council member Marsh reported that the Borough recycled 20,220 lbs. during July 2019. Council member States motioned to accept the report as presented with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Treasurer – Sharon Bradnick - The General Fund Monthly Breakdown dated August 13, 2019. The total general fund accounts are \$1,131,677.50. Council member McKinney motioned to approve the report as presented with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

Secretary – Sharon Bradnick – Everyone received their profit and loss statements for the month of July. At the end of July, we show that we have an income of negative of (\$31,755.17) for the month. January through July we show income in the amount of \$320,756.26. Last month council made a motion to move the accounts from BB&T to Northwest. Sharon currently has all the accounts moved over except for the General Fund checking account and the General Fund savings account. The savings account at BB&T will need to stay open until we pay the loan off because this payment comes directly from this account. Once the items all clear from the BB&T checking account then this account will be closed and the money will be transferred to Northwest. We had the audit for the liquid fuels account which is the state funds. There were no issues and it was a clean audit. Tomorrow night Bradnick is attending the NW EMS meeting at 6:30 pm at West Donegal Township meeting and she will let council know how that turns out and how all the municipalities are handling things.

Mayor's Report - Harold Kulman – Mayor Kulman presented a proclamation to the Bike Race organizers and one to the Fireworks Committee for their phenomenal work of planning and running these events.

STANDING COMMITTEE REPORTS

Administrative – President Mazis

President Mazis stated they did not hold an administrative meeting this month since everyone was either on vacation or had a family emergency.

President Mazis asked for a motion to adopt Ordinance 2019-02 to vacate a portion of S. Jones

Street and an unnamed alley. Council member Dalzell made the motion with a second by Council member McKinney. Motion carries unanimously by voice vote.

President Mazis asked for a motion to adopt Resolution 17-2019 prohibit video gaming terminal. Solicitor Harter explained the Resolution and what the state is trying to achieve to not have gambling at truck stops. Charles Shireman asked how this would affect clubs. Solicitor Harter stated that this would not affect clubs. Council member Dalzell made the motion with a second by Council member Angelo. Motion carries unanimously by voice vote.

Planning/Zoning/Environmental – Bill Dalzell

Council member Dalzell stated they met and went over a street tree ordinance and this will come next month. They completed reviewing the uses for the various zoning districts and sent it on to the planning commission. For the Borough Seal, they have some sketches, and Dalzell will be working with a graphic designer and they have been busy and he will bring this next month. Dalzell passed around the sketches for council to look at.

Public Outreach – Louis McKinney

Council member McKinney stated that we need to look for remedies for speeders. McKinney received an Event Application for a Marietta Block Party from the S bend to Gay Street on September 29th. Since the Pig Iron Pedal is the same day we asked if they could change their date to the rain date of October 6th. They did not have a problem with this change to help the Borough and the date was changed. A motion was made by McKinney with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Council member McKinney presented the Pig Iron Fest for September 29 special event permit. Council member Angelo made a motion to accept the permit with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

Council member McKinney presented the Marietta Garden Tour special event permit. Council member McKinney made the motion with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Council member Dalzell made a motion to adopt Resolution 18-2019 to have a Jr. Council Person Program with a second by Council member McKinney. Motion carries unanimously by voice vote.

Council member Dalzell presented the new Marietta Borough website and went over all the features. Dalzell made a motion to move forward and make this our new website with a second by Council member Shambaugh. Motion carries unanimously by voice vote.

Public Safety – Robert Shambaugh

Council member Shambaugh stated they spoke about the Chickies Challenge and they spoke about the Emergency Management Plan that needs to be ratified every three years. The meeting in June was not held. The fire company wanted to meet with him and discuss the best way to be transparent and the committee said the best way is for the Fire Company to attend the Budget workshop in September. They also discussed loose dogs and they are to contact the police. They discussed the noise that the siren makes. They would like to look into modifying the siren. They also discussed the speeding in town, which was discussed earlier by Louis. Officer Baugh reported that the average speed that police have monitored has been 31 miles per hour and within the range of 32 to 35 mph.

Council member Shambaugh made a motion to advertise the Intergovernmental Cooperation Police Agreement with a second by Council member Angelo. What is unique about this agreement is that it is for eight (8) years. Motion carries unanimously by voice vote.

Council member Shambaugh stated that council needs to read the emergency plan so that we can vote on this at our next meeting. This should be done every three (3) years.

Public Works – Freddy States

Council member States stated that the crosswalks were put in on East Market Street, so hopefully this will help slow traffic down. The oil, chip and fog seal was completed. He going to look into the collapsed pipes on Gay Street, and he is going to look at this with Glenn next week. Our guys should not be responsible for weeding curbs. This should be the homeowners' responsibility. If the homeowner does not handle this, then we should have it done and bill the homeowner. He would like to look into putting up banners honoring hometown heroes.

Council member States made a motion to advertise for the bidding of the new trash contract with a second by Council member Dalzell. Motion carries unanimously by voice vote.

SPECIAL COMMITTEE REPORTS

JOINT SEWER AUTHORITY – Jeffery Marsh – The force main project had a preconstruction meeting and they are starting the project August 19th and should be finished by November 5th. Personnel issues have been resolved at the sewer plant. They hired two employees and things are running smoothly.

NWRT Committee – Glen Mazis – There was a short meeting and there were, no big issues except discussing the typical speeding on the trail. The report of a bear on the trail was not true.

C2P2 Committee – Glen Mazis – Ann Yost sent over the recommendation as a result of the upgrading the parks grant and then we will be setting up dates to go over the recommendations.

G3 Grant – Glen Mazis – We closed out the first grant for coming up with concept designs for a more complete street and to help control flood runoff into the river and have not started the second one yet.

OLD BUSINESS

President Mazis would like to send out a thank you letter to all the public officials that helped us get the flap valve grant. Council was in agreement to have Glen send out letters. The International Property Maintenance Code will be presented next month.

NEW BUSINESS

No new business to report.

PUBLIC COMMENT

Raymond Vegso – 50 N. Pine Street – He would like to see council restore the compensation to the mayor and to government officials. We have a higher reserve fund than most municipalities

in this county. Also the mayor should be compensated for meetings. President Mazis stated that we will bring this up in administrative meeting.

Fred Gabriel – West Market Street – If the IPMC is adopted than it would be for every structure and would allow the zoning officer to go into everyone's home. Solicitor Harter stated that the inspector would not be able to go into homes. It is only the violations that can be seen from the street. His understanding with dogs and fences is that if you have a dog out in my yard that he does not have to be leashed if he is under voice command. We do have issues in his block with dogs running loose. He has called the police. Also, other municipalities are going back to painting the center lines on streets. This is something to be considered.

EXECUTIVE SESSION

Executive session for potential litigation.
Entered session at 9:35 pm.
Re-convened the meeting at 9:46 pm.

President Mazis stated that there was a potential litigation matter was discussed and no action was taken.

There being no further business to come before Council, on a motion by Council member Dalzell with a second by Council member Shambaugh the meeting adjourned at 9:48 PM.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer