

**Marietta Borough Council
Minutes of Meeting held June 9, 2020
113 East Market Street, Marietta, PA**

President Mazis with Council members Marsh, Carroll-Baltozer, States, Dalzell, Hudson, McKinney and Mayor Kulman and Solicitor Harter present by zoom meeting under Covid-19 limitations, called the regularly scheduled monthly meeting of the Marietta Borough Council to order at 7:04 PM. The meeting opened with a moment of silence followed by the pledge of allegiance.

PUBLIC COMMENT

Rae Ann Schatz – Fairview Ave. – In the April minutes being approved at the May council meeting there were two items missing that she would like to be corrected or amended. The first is the approval of the special permit for the fireworks. The second is the information provided by Councilor States about the change order for the Flap Valve project concerning the comment that we haven't even lifted a shovel and already we had a change order. This was already discussed at the April Public Works Committee meeting. This was about the discrepancy in the size of a pipe.

President Mazis stated that even with the change order for the pipe being larger, we are still under the budget for the money that we received from the grant, so this was of no cost to the Borough

Rae Ann asked if we get to keep the excess money from the grant or does the excess money get returned.

Bradnick stated that pending on the grant, some grants let you keep the excess, but as far as the Flap Valve Grant the excess from that grant gets returned along with any interest that we earned while holding it.

President Mazis closed public comment.

MINUTES FOR APPROVAL

President Mazis asked for a motion to amend the April minutes to reflect approval of the July 4th fireworks. Council member Dalzell made a motion to approve the amendment to the April council minutes with a second by Council member States. Motion carries unanimously by voice vote.

President Mazis asked for a motion to approve the May 12th minutes. Council member Dalzell made a motion to accept the May 12th minutes with a second by Council member States. Motion carries unanimously by voice vote.

President Mazis asked for a motion to approve the special meeting on May 26th minutes. Council member Dalzell made a motion to accept the May 26th minutes with a second by Council member McKinney. Motion carries unanimously by voice vote.

ANNOUNCEMENTS

President Mazis stated that we are still under a state of emergency. He would like to thank our essential workers that put themselves in harm's way. We are now in the yellow zone, and asked

citizens to please do social distancing, and wear masks when you are in public. You should wash your hands as much as possible. We are still not in the clear when it comes to gatherings. There should be no more than twenty-five people at a gathering. If you are part of a gathering you are nineteen times more likely to get infected if you are in a closed area versus being outside. As of this week, we have opened the office doors, but only on the condition of please wearing a mask to come into the office.

REPORTS

Fire Police/EMA – Steve Bailey – Was not present to give his report. Council member Dalzell gave the report for Steve. They had a total for May of 9 calls, 23 officers, and 62.5 duty hours. The truck was cleaned and sanitized. All officers have been instructed in protocols for the virus. Gloves, masks and a thermometer are on the front seat of the vehicle and all officers have been instructed to use them.

Pioneer Fire Company – Brandon Smith – No one present to give a report.

Pioneer Fire Company Financial Statement – Jeffery Marsh – Council May stated that the balance as of May 25, 2020 was \$14,269.40. Council member States made the motion to accept the report as presented with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Sewer –Freddy States – Council member States report was dated May 2020. The sewer fund has a savings account balance of \$307,639.46 and a checking account balance of \$1,078.77. 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 States reported that the Borough recycled 20,000 lbs. during March 2020. Council member States motioned to accept the report as presented with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Council member States reported that the Borough recycled 23,040 lbs. during April 2020 and 28,580 lbs. during May. Council member States motioned to accept the report as presented with a second by Council member Marsh. Motion carries unanimously by voice vote.

Treasurer – Sharon Bradnick - The General Fund Monthly Breakdown dated June 9, 2020. The total general fund accounts are \$1,299,346.72. Council member Dalzell motioned to approve the report as presented with a second by Council member States. Motion carries unanimously by voice vote.

Secretary – Sharon Bradnick – Everyone received their profit and loss statements for the month of May. At the end of May, we show that we have an income of \$225,839.17 for the month. January through May we have an income of \$285,565.77.

Bradnick asked for a motion to pay the Farhat Excavating invoice in the amount of \$112,860.00. This is for the installation end walls. Council member states made the motion to pay the invoice with a second by Council member Dalzell. Motion carries unanimously by voice vote.

President Mazis asked how we are doing with the tax collection. Bradnick stated that we received around \$500,000 in taxes. We budgeted \$735,557 to receive and currently we have received \$581,049 showing that we are under \$154,508 to be received yet, but are doing as well or better than we usually do.

Bradnick stated that we received the second invoice in the amount of \$103,312.50 for the installment of the end walls. Council member States made a motion to make the second payment with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Bradnick stated that she received an email today and the Falmouth end of the trail will be paved in July and all fourteen miles of our trail will be open.

Zoning Report – Tom Arnold – Presented his zoning report to council. He's done nineteen zoning permits for the month. Hopefully the quick ticket ordinance will be put in place soon. We have not issued any civil citations for violations during the pandemic. As of Monday this was lifted and when necessary a civil will be filed when required. He stopped doing rental inspections during the pandemic, but this is changing as of tomorrow. We are working hard to clean up the blighted properties, but this is not moving forward as fast as he would like. He is meeting every Wednesday with Sharon and going over things to be done, and this has been working out well. His van was vandalized yesterday in the parking lot. Nothing extreme, it was just tape put on his bumper that says he is a "dick". The motion detector light will help with these issues, but this happened during the day.

Council member McKinney thanked Tom for the work he is doing: because Tom is doing his job he will take some flack. We need to look into putting up a camera as well.

Mayor's Report - Harold Kulman – Mayor Kulman stated that in getting to the yellow stage what we can do and what we cannot do is spelled out in the information he has and is available if anyone would like to see them. The national news stated that there are two areas, Arizona and Florida who let down early and they both had a surge in the COVID Virus. This is what we are faced with. He attended the Donegal 2020 graduation. He gave a speech along with Mount Joy and East Donegal's head supervisor. There were over 200 cars. They held their commission meeting today and there was a date set for when our police chief will be resigning. They are going to set up a program to evaluate the people that would like to be Chief. The mayor does not like having the zoom meetings because people are cut out and he would like to get back to our regular meetings. He feels this makes us not transparent. The people that set in the back row do not have a computer and we do not hear from them. We are not being very open. We need to do more. He is open for suggestions. Council discussed other areas to hold the council meetings during the Covid pandemic, but made no decision about re-opening to the public in person at this time.

STANDING COMMITTEE REPORTS

Administrative – President Mazis

President Mazis stated we met and had the yearly review of the zoning officer and it was a good constructive meeting.

President Mazis stated that we are amending resolution 2020-18 for the postponement of penalties in regard to the collection of the taxes until the end of the year. We are amending the resolution to be in effect until November 30, 2020. This will allow the county to gather the information and then do the paperwork on who all owes taxes for 2020. Council member Dalzell made the motion to amend Resolution 2020-18 to extend it until November 30, 2020 with a second by Council member Hudson. Motion carries unanimously by voice vote.

President Mazis stated that we promised to look at Resolution 2020-19 to see how things were

going with the establishments that sell liquor and could serve their food on the sidewalks and serve alcohol.

Solicitor Harter stated that this is an area law that is regulated by both the state and the municipalities and one of those that have both doors open. The PLCB opened the door to allow serving alcohol at outdoor locations, which mirrors what we did with some restrictions. The current resolution applies until the restaurants get the first customers inside. If you want to extend it further until they reach 51% capacity then you would need to revisit the resolution.

Council member Carroll-Baltozer made a motion to go with the state guidelines that state to original seating to 60% capacity with a second by Council member Dalzell.

Council member Hudson stated that he could support this. It is 19 times safer to be outside. Council member States asked officer Ney if there were any complaints or issues that have come up since this started. Officer Ney stated that they have not received any calls pertaining to these issues.

President Mazis called for the motion. Motion carries unanimously by voice vote.

Planning/Zoning/Environmental – Bill Dalzell

Council member Dalzell stated they had their meeting and that with holding these meetings by Zoom we have had more people attending. Dalzell thought we should perpetuate that even after this crisis is over, having people also attend by Zoom. They reviewed the quick ticket ordinance. The areas that they focused on were the common things like broken windows. They discussed the five-year plan and Brad Stewart said we should go the extra mile and do a comprehensive plan. A resident brought to his attention a wonderful grant opportunity. It is the PA Walkworks Grant. Several years ago we did a walk ability study. This is active transportation plan is the next step. This is encouraged by hospital net-works. The idea is that the more people that are able to commute using active transportation, the more healthy they are over-all. This grant would be fully funded grant to create a walkability plan for the Borough. The planning commission submitted a letter of intent on our behalf. We would need to approve for us to go for the grant funding.

Council member Dalzell made a motion to go for the PA Walkworks grant to create an active transportation plan with a second by Council member Carroll-Baltozer.

President Mazis asked along with other things whether the plan would do a lot of data collection on the health of our residents.

Council member Dalzell said it is a multi-disciplinary sort of thing. Municipal planners have an idea of what should be done. This brings multiple groups together and working towards the best practices. One priority is to have safe routes to school. Complaints that he has heard in Marietta concern that we have nowhere to walk to. This plan would incorporate that aspect, particularly for commuters.

President Mazis asked what the automobile safety part of it is; does it include looking at the safety of the road? Would they look at the Comprehensive Parks grant that we just did, will they incorporate that?

Council member Dalzell stated that it will look at our roads and to make sure they are safe and if they are a safe way to conduct mixed transportation. He would include the parks information,

Marietta's base walkability and Lancaster County Redevelopment Authority Insights Discussion fact of being adjacent to the trail which connects us to the businesses and the other partner communities, as well as to the Red Rose Transit. All this makes us a really attractive grantee. LGH would be working with us on this along with the County Planning Commission.

President Mazis called the vote. Motion carries unanimously by voice vote.

Council member Dalzell stated that the Shade Tree Commission had its organizational meeting. For the next meeting they will have a tree list and an appendix for the best maintenance practices.

Solicitor Harter stated that to you could consider having an ordinance like two other similar statues. In these statues, you have the ability to do a civil penalty up to \$600. He also included this penalty in regard to sidewalk enforcement. You gave the Borough the ability to go in and do the work and then charge the homeowner back. A similar provision could be made for cutting down street trees and not replacing them.

Council member Dalzell suggested that we continue to not have penalties on planting trees on the owner's property. They also addressed the pruning and possibly the removal of street trees under the quick ticket when that is adopted.

Council member Dalzell made a motion to advertise an amendment to Chapter 60 the Shade Tree Commission Ordinance amending it to alter the text such as section 60-4 remains not in force and Section 60-5, and 60-6 be enforced through the quick ticket. He rephrased his motion to add enforcement of 60-5 and 60-6 for the removal and trimming of shade trees with both of the penalties that we spoke about, civil penalties and replacement, with a second by Council member States. Motion carries unanimously by voice vote.

Council member Dalzell made a motion to adopt the resolution 2020-20 for the plan revision for the new land development for 421 W. Market Street to be sent to DEP regarding the sewer module with a second by Council member States. Motion carries unanimously by voice vote.

Public Outreach – Rebecca Carroll-Baltozer

Council member Carroll-Baltozer stated that she feels that her committee also had more attendance since we are on Zoom. We review things that we talked about before and things are on hold, being that we are in the yellow zone. We talked about opening up the parks. Hopefully we can move forward with 2021 with events. They discussed on how they would get information about the adoption of the quick ticket out to the public, if that is passed. The committee also discussed some future events in 2021, such as basketball camps, possibly having a senior center, and possibly having some music in the parks. They decided to cancel the summer recreation program for 2020. We are going to look at getting estimates of the cost to upgrade the tennis courts.

Council member Carroll-Baltozer made a motion to reapprove the new date for Marietta Day Event for August 29th, with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Council member Carroll-Baltozer made a motion to approve the LGH Bike Run Walk event for September 19th, pending insurance with a second by Council member Dalzell. Motion carries unanimously by voice vote.

Public Safety – Jeffery Marsh

Council member Marsh stated they met May 28th. Steve Bailey and Louis McKinney were present. They discussed the bike riders ignoring the signs in the Borough and especially the one-way signs on Front Street. The mayor has posted himself on Front Street and the bikers have ignored him. There is a safety concern. Steve Bailey brought up the safety issues on West Market Street with the bikers going down Porter Street and to have these signs moved up to Decatur Street. The 421 project will have a trail behind their property and will go from W. Front to Porter St. Time should correct the situation. A comment was made that the Recumbent Bikes should have flags on the bikes because they set low and people can't see them on the street. We are looking at correcting the speeding on Market Street and adding speed signs in the school crossing area.

Public Works – Freddy States

Council member States stated that our roadcrew will be working on Prospect Avenue starting Monday and then they will start on painting the lines in Market Central and see how that looks and then work on the other blocks. Council had a long discussion on where to start painting the lines for parking spaces after the Market Central area. President Mazis suggested that East Market Street should be a priority since these markings are a "speed calming" strategy that has been demonstrated to be effective and the residents of East Market Have been asking us to do something to help the speeding issue there. States is going to look into more speed signs for calming traffic. We received an estimate to seal W. Prospect from Martin Paving in the amount of \$3,000.

Council member States made a motion to have Martin Paving seal Prespect Ave. with a second by Council member Dalzell. Motion carries unanimously by voice vote.

States commented that the street sweeping just happened and he had a lot of complaints, and is going to look at some other options. We need to enforce that residents clean up their curbs with the quick ticket program. We have an ordinance for residents to keep there curbs clean. If this is done we won't need to street sweep or it won't be much of a problem when the street sweeping is done. Scott is coming in and helping to mow on Tuesday and Thursday. We received a complaint on Furnace Road, work is going to be done down there as part of the grant for which we have applied, but not all of Furnace Road beyond the parking lot. We are going to reach out to BN Excavating to see if they are interested in partnering with us to get the lower end of Furnace Road paved.

SPECIAL COMMITTEE REPORTS

JOINT SEWER AUTHORITY – Jeffery Marsh – A fulltime manager was hired her name is Cheryl Brubaker.

NWRT Committee – Glen Mazis – The next meeting is in July. They are working on a new map.

C2P2 Committee – Glen Mazis – A meeting is scheduled for next week.

G3 Grant Phase II Committee – Glen Mazis – We applied for the implementation grant phase III and we are waiting to hear.

Shade Tree Committee – Bill Dalzell – This was all covered earlier in the meeting.

OLD BUSINESS

Quick ticket ordinance – this was discussed last month. They added items from the property maintenance code. Council member Dalzell did a review of the property maintenance code on items that need to be on the quick ticket. We can easily add things in the future.

Solicitor Harter stated that currently on the quick ticket are; brush, grass and weeds, burning and open fires, fireworks, junk yards, on-line sewage requirements, shade trees, snow removal and unlicensed vehicles.

Council member Dalzell asked when the enforcement would start. Solicitor Harter stated that you can set it to start immediately or a date in the future. In this case he does not recommend setting it immediately. You delay enforcement until you have time for people to work up to it.

Council member Dalzell made a motion to advertise the quick ticket ordinance with a second by Council member Marsh. Motion carries unanimously by voice vote.

NEW BUSINESS

No other new business to discuss.

PUBLIC COMMENT

No public comments.

There being no further business to come before Council, on a motion by Council member Dalzell with a second by Council member Marsh, the meeting adjourned at 9:37 PM.

BOROUGH SEAL

Respectfully submitted,

Sharon L. Bradnick
Secretary/Treasurer