



Ebensburg Borough Council Meeting
Monday, November 24, 2014
6:30 p.m.

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Borough Council
Doug Tusing, President
Susan Barber, Vice-President
Cecilia Houser
Theresa Jacoby
Dave Kuhar
Joe Lutz
Joe Miller
Mayor
Randy Datsko

AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Members of the public are invited to comment at this time on any item appearing on the agenda.

1. CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council request specific items to be removed for separate action.

Item 9A: Approve the minutes of the October 27, 2014 regular monthly meeting of Borough Council.

Item 9B: Approve the Financial Statement.

Item 9C: Approve payment of bills. Vote to be recorded reflecting abstention by Councilor Barber on amount owed Barber Oil Company and Link Services.

Item 10G: Action #1 - Grant approval to the D'Agostini subdivision plan.
Action #2 - Grant approval to the 1st Summit Bank Land Development Plan.

Recommended Action – Approve the consent agenda.

2. APPOINTMENTS TO ADDRESS COUNCIL

3. MAYOR'S REPORT

Item 3A: Report on Police Department

4. COUNCIL PRESIDENT COMMENTS

5. WATER, WASTEWATER & STORMWATER COMMITTEE

Kuhar & Houser

Item 5A: Report from Severn Trent Services on Wastewater Plant Operations

Plant Supervisor Bernie Kozlovac will provide a verbal report on projects and activities at the wastewater plant during the month.

Recommended Action – No action required.

6. RECREATION COMMITTEE

Barber & Jacoby

7. STREET COMMITTEE

Lutz, Miller & Houser

Item 7A: 2015 Sidewalk Project

PennDOT has awarded Ebensburg a Transportation Enhancement grant in the amount of \$500,000 for this project. This Federal grant comes with a few more strings attached. Instead of the bidding process being handled by staff, it will be handled by PennDOT through its own on-line Engineering and Construction Management System (ECMS). That will require that a few more design measures be taken prior to bidding.

While the project was ready for local bidding, ECMS will require that a final bid package be submitted by our engineer including plans, special provisions and cost estimate. Summary and tabulation sheets will have to be prepared. Utility coordination will have to be verified. The Authorization to Enter forms, obtained earlier from property owners to allow us to exceed the rights-of-way, will not be acceptable for Federal funds. Staff will look to either eliminate ROW impacts, or obtain temporary construction easements.

The Borough's engineer on this project is Keller Engineers. Staff will meet with PennDOT at the end of November to review all grant requirements. Keller will then submit a proposal addressing the cost of the additional work.

Recommended Action – No action required.

8. ADMINISTRATION COMMITTEE

Lutz, Barber & Jacoby

Item 8A: 2015 Annual Budget

The 2015 annual budget was granted tentative approval last month. It has been advertised for public inspection and is ready for final adoption.

The proposed numbers for each fund are as follows:

	Revenues	Expenditures	Surplus
General Fund Budget	\$1,865,320	\$1,845,630	\$19,690
Water Fund Budget	\$1,555,500	\$1,541,550	\$13,950
Wastewater Fund Budget	\$1,554,800	\$1,522,920	\$31,880
Stormwater Fund Budget	<u>\$130,000</u>	<u>\$130,000</u>	<u>\$0</u>
Total Operating Fund	\$5,105,620	\$5,040,100	\$65,520

Recommended Action – Grant final approval to the 2015 annual budget.

Item 8B: Tax Ordinance

An Ordinance is required each year to establish the real estate tax for the coming year. Ordinance #615 was granted tentative approval last month, was advertised for public inspection, and is ready for final adoption.

Action - Grant final approval to Ordinance #615, establishing the 2015 real estate tax.

Item 8C: 2015 Fee Resolution

A Resolution is required each year to establish fees to be charged for various services for the coming year. All fees remain unchanged from 2014.

Recommended Action – Adopt Resolution #2014-17 establishing the fees to be charged in 2015 for various purposes.

Item 8D: 2015 Salary Resolution

A Resolution is adopted each year to establish the wages to be paid to borough employees, as recommended by the administrative committee, reviewed last month with Council, and included in the 2015 budget.

Recommended Action – Adopt Resolution #2014-18 establishing wages for 2015.

9. GENERAL BUSINESS

- * Item 9A: Minutes of Previous Meeting(s)
The minutes of the previous regular meeting are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meetings.

- * Item 9B: Financial Statement
The financial statement for October 2014 is presented for approval.

Recommended Action – Approve the October 2014 financial statement.

* **Item 9C: Bills**

A list of bills totaling \$304,576.21 is submitted for approval. The list of bills includes an account in the amount of \$1,093.58 payable to Barber Oil Company and \$603.00 payable to Link Services. An abstention will be recorded in the minutes on behalf of Councilor Barber on those particular bills.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Upcoming Meetings

Make it a matter of record that the December meeting will be held on Monday, December 15, 2014.

Recommended Action – No action required.

Item 9E: Zoning Amendments

The following amendments to the Zoning Ordinance are recommended by the Planning Commission, and are contained in the proposed Ordinance #617.

Section 1. In Single-Household Residential (SHR) Zone, a minimum lot width of 60 feet is currently required for professional offices. Most lots in Ebensburg are less than 60 feet, and professional offices are not uncommon. This amendment decreases the minimum lot width to 40 feet and the lot area to 4,000 sq ft., decreasing the need for variances.

Section 2. In SHR zones, a Table prescribes a maximum number of off-street parking spaces for specific uses. This amendment replaces those specific limitations with a general phrase that limits off-street parking spaces to 120% of the minimum number prescribed.

Section 3. The Zoning Ordinance does not limit off-street parking spaces at the front of properties. In several cases, concrete pads cover much of the front yard. This amendment would limit the combined width of all driveways and parking spaces along a property line fronting a street to 20 feet. Any additional parking desired would have to be at the rear of the lot.

Section 4. Same as Section 1, and applicable to Multi-Household Residential (MHR) zones.

Section 5. Same as Section 2, and applicable to MHR zones.

Section 6. In Mixed Use-Village Commercial (MUVC) Zone, the uses of child day care center, health services, professional offices and services, and retail sales and services are limited to 5,000 sq. ft. of gross floor area. This amendment eliminates that limitation.

Section 7. Same as Section 2, and applicable to MUVC zones.

Section 8. Same as Section 2, and applicable to Central Business District (CBD) Zone. Also deletes requirement for loading berths.

Section 9. The Zoning Ordinance requires that parking spaces be 10'x20', and prescribes a minimum number of parking spaces dependent upon the proposed use. Frequently, the size of parking spaces is reduced by variance in order to satisfy the number of spaces required. This amendment empowers the zoning officer to reduce the size of parking spaces to no less than 9'x18', if such reduction in size results in the minimum number of spaces being satisfied.

Section 10. Off-premise advertising signs were prohibited in an earlier Zoning Ordinance, however, the prohibition was inadvertently omitted in the current Ordinance. This amendment prohibits off-premise advertising, except permitted billboards.

Section 11. This amendment revises the rules for signs in SHR zones.

- a. Signs for residential and no-impact businesses are prohibited.
- b. Signs for minor-impact businesses in homes are reduced from 12 sq. ft. to 6 sq. ft.
- c. Signs for other permitted purposes are reduced from 18 sq. ft. to 12 sq. ft.
- d. The number of permitted signs is one.
- e. Animated, billboard, directory, flashing, ghost, inflatable, illuminated, mural, pole, projection, video, wall, wind and window signs are prohibited.

Section 12. Same as Section 11, and applicable to MHR zones.

Section 13. This amendment revises the rules for signs in SHR zones.

- a. Signs for residential and no-impact businesses are prohibited.
- b. Signs for minor-impact businesses in homes are reduced from 12 sq. ft. to 6 sq. ft.
- c. Signs for other permitted purposes are permitted, subject to existing rules in Section 706.
- d. The number of permitted signs is two.
- e. A-frame signs are now permitted, and rules established.
- f. Electronic message boards are now permitted, and rules established.
- g. Animated, billboard, directory, flashing, ghost, inflatable, projection and video signs are prohibited.

Section 14. This amendment revises the rules for signs in CBD zone.

- a. Signs for residential and no-impact businesses are prohibited.
- b. Signs for minor-impact businesses in homes are reduced from 12 sq. ft. to 6 sq. ft.
- c. Signs for other permitted purposes are permitted, subject to existing rules in Section 706.
- d. The number of permitted signs is two.
- e. A-frame signs are now permitted, and rules established.
- f. Animated, billboard, directory, flashing, ghost, inflatable, pole, projection, video, wind and electronic message board signs are prohibited.
- g. Signs are permitted to extend over sidewalk to midpoint.

Section 15. A new section is added regulating signs in the Historic Character Overlay District. It requires all sign permit applications in the Overlay District to comply with the recently adopted sign guidelines, and to obtain a Certificate of Appropriateness from the Main Street Partnership. That determination is appealable to the Zoning Hearing Board.

Section 16. Billboards were permitted in an earlier version of the Zoning Ordinance, but not addressed in the current version. This amendment permits billboards in four areas: Ben Franklin Highway between High Street and the borough line, Rowena Drive near the Route 22 ramps, North Center Street north of Fairview Street, and Admiral Peary Highway. It also prescribes rules relative to billboards.

Section 17. This amendment adds a new section for definitions specific to signs.

Section 18. “Essential Services” is a term often used within the Zoning Ordinance. This amendment adds a definition for the term.

Section 19. This amendment adds the former prison to the Central Business District.

Section 20. This amendment expands the Historic Character Overlay District to include the north side of the 400 block of West High Street and the middle school properties.

Section 21. The middle school properties are all currently zoned SHR. This section proposes that the parcels on the west side of North Center Street be rezoned. The Planning Commission prefers to conduct a public hearing on the matter prior to forming a recommendation.

The Municipal Planning Code requires that several steps be taken prior to adoption of any amendments to the Zoning Map. A public hearing must be conducted prior to final approval. The hearing must be advertised in accordance with normal public notice. A copy of the proposed amendments must be provided to the county planning commission 30 days prior to the scheduled hearing. Direct mail notice must be provided to owners of any properties affected by the amendment; in this case; Cambria County, the Cambria County Redevelopment Authority, and Central Cambria School District. The affected properties must be posted with notification of the public hearing.

Recommended Action – Schedule a public hearing for proposed amendments to the Zoning Ordinance and Zoning Map for Monday, January 5, 2015.

Item 9F: Pawn Shop Ordinance

Mayor Datsko and Chief Wyland have recommended adoption of an Ordinance regulating secondhand goods dealers, pawn shop brokers and scrap metal dealers.

The proposed Ordinance requires said brokers and dealers to conduct business at a single location, to maintain a log of all purchases, to submit copies of all receipts to the police department weekly, and to retain all purchases for thirty days.

Recommended Action – Grant tentative approval to Ordinance #616 and advertise for public inspection.

10. DEPARTMENT REPORTS

Item 10A: Police Department

Chief Wyland will provide a verbal report on the police department’s activities during the month. A written report was e-mailed to Council separately.

Item 10B: Public Works Department

Public Works Director Dave Dodson will provide a verbal report on the public works department’s activities during the month.

Item 10C: Community Development

Community Development Director Danaea Koss will provide a verbal report on the community development department’s activities during the month.

Item 10D: Recreation Department

Recreation Director Matt Pfeil will provide a verbal report on the recreation department’s activities during the month.

* Item 10E: Codes Enforcement

A monthly codes enforcement report is provided in Council’s mailbox.

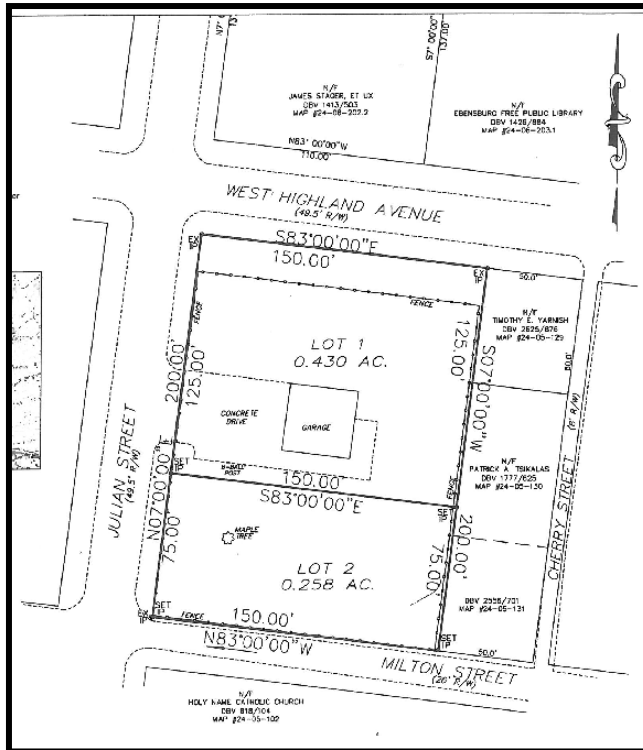
* Item 10F: Ebensburg Municipal Authority

A copy of the minutes of the last municipal authority meeting is included in Council’s packet.

* Item 10G: Ebensburg Planning Commission

* 1) D’Agostini Subdivision

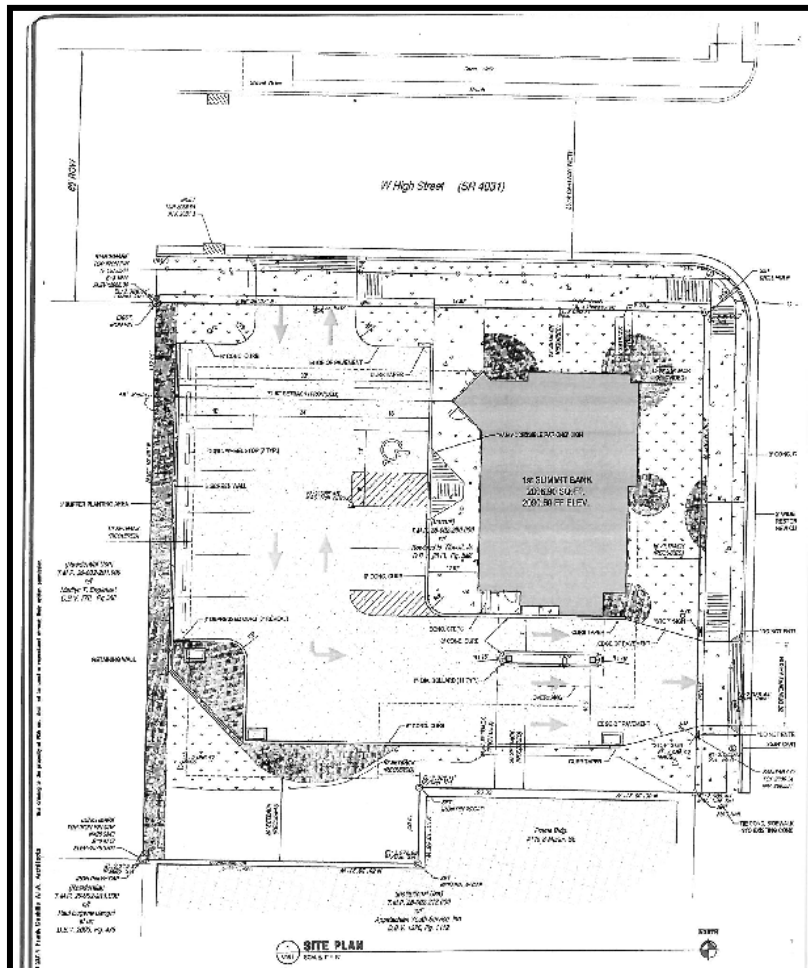
The Planning Commission has granted approval to a subdivision plan for the D’Agostini property at 228 West Highland Avenue. The plan creates a new 75’ x 150’ parcel on the south side of the property.



Recommended Action – Grant approval to the D’Agostini subdivision plan.

* 2) 1st Summit Bank Land Development

The Planning Commission has granted preliminary approval to a land development plan for a new 1st Summit Bank on West High Street at Marian Street, the site of the former Gulf station. The existing building will be razed and a new building constructed.



Recommended Action – Grant approval to the 1st Summit Bank Land Development Plan.

* Item 10H: Ebersburg Zoning Board – No activity

11. MEDIA COMMENTS/QUESTIONS

Representatives of the media are invited to comment and ask questions at this time on any issues, whether or not on the agenda.

12. PUBLIC COMMENTS

Members of the public are invited to comment at this time on any issues, whether or not on the agenda.

13. ADJOURNMENT

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Thursday before each regularly scheduled meeting at the Borough office, located at 300 West High Street, Ebensburg, Pa. Any documents subject to disclosure that are provided to members of the Borough Council regarding any item on this agenda are available for public inspection at the Borough office or at www.ebensburgpa.com.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Borough office (814) 472-8780 or eburg@ebensburgpa.com. Notification 48-hours before the meeting will enable the Borough to make reasonable arrangements to ensure accessibility to this meeting.