



Ebensburg Borough Council Meeting
Monday, January 26, 2015
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 December 15, 2014 regular monthly meeting of Borough Council and the public hearing conducted on January 5, 2015.

Item 9B: Approve the Financial Statement and quarterly fund transfers.

Item 9C: Approve payment of bills.

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

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.

Item 5B: Amendment of Ordinance #558, Pre-sale Sewer Tests

Ordinance #558, adopted in October 2008, requires testing of sewer connections prior to the sale of any property. It required that the test be performed by a plumber. In practice, the borough has been performing the tests, saving the property owner the cost of engaging a plumber. Ordinance #618 is proposed amending that language to reflect the current practice. Ordinance #618 was granted tentative approval last month, has been advertised for public inspection and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #618.

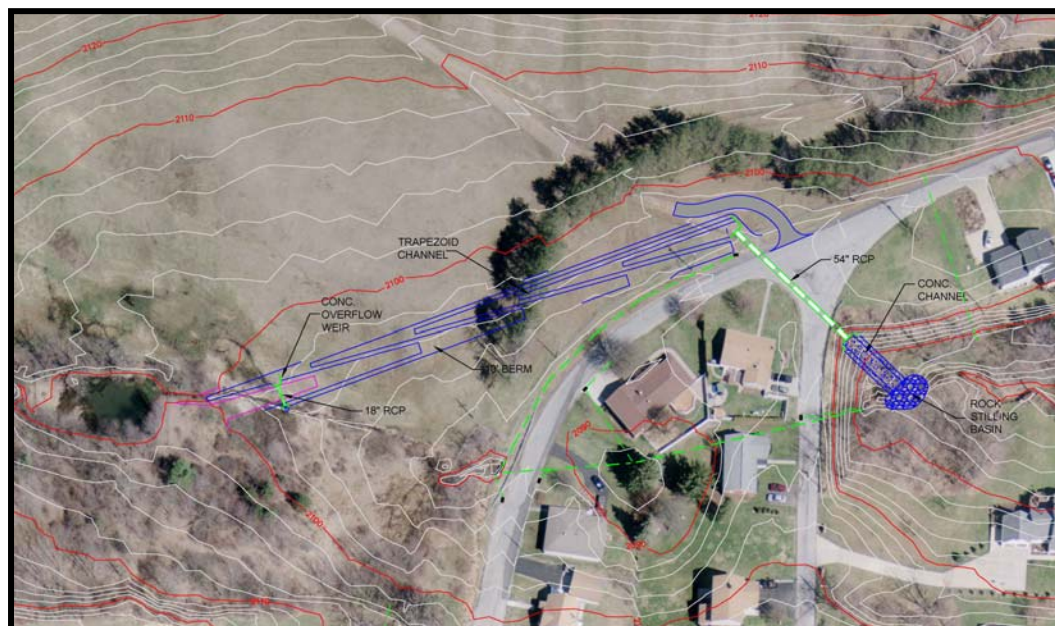
Item 5C: Amendment of Ordinance #612, Stormwater Management Fees

Ordinance #612, adopted in July 2014, makes several references to stormwater fees being adopted by Borough Council, and states that Borough Council is to hear any appeals of the fees. The stormwater fees were actually imposed by the Ebensburg Municipal Authority, under authority of the Municipal Authorities Act. Any petitions for hearings relative to the stormwater fees should be heard by the Authority. Ordinance #619 is proposed to make those necessary corrections to the original Ordinance. Ordinance #619 was granted tentative approval last month, has been advertised for public inspection and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #619.

Item 5D: Beech Street Stormwater

Construction of a trapezoid channel and installation of new stormwater lines along Beech Street near the fairgrounds is planned for 2015. Kimball has completed the project design. Construction easements are being prepared for the fairgrounds and Ratchford properties.

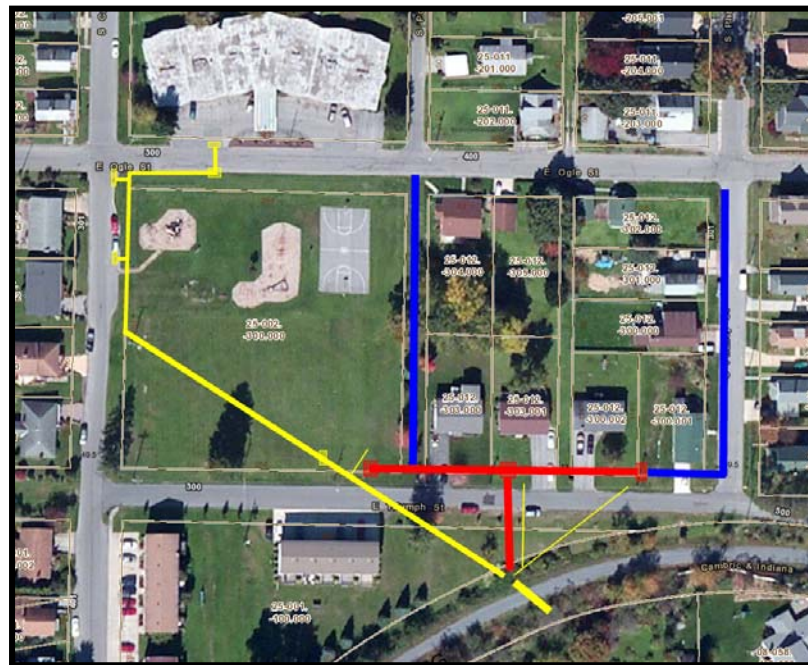


Recommended Action – Approve advertising for bids for construction of stormwater improvements on Beech Street below the fairgrounds.

Item 5E: East Triumph Street Stormwater

Installation of new stormwater lines and basins along East Triumph Street is planned for 2015. Staff has completed the project design. Whether the project is awarded to a contractor or completed in-house will depend on quotes received. The labor portion of this project will be under the bidding threshold.

In the drawing below, the yellow lines are existing stormwater lines. The red lines are proposed construction. The blue lines represent how future projects will eventually connect to this project.



Recommended Action – Approve soliciting quotes for completion of stormwater improvements on East Triumph Street.

Item 5F: Manor Drive Water Line

Replacement of the Manor Drive water line was planned for 2015. The existing 1,900 feet long 6” line serves a dozen residences, and is plagued by repeated breaks. Most of the breaks occurred where individual service lines were threaded into the plastic main. After further consideration, and at the recommendation of the municipal authority, staff will instead replace the remaining old service taps with new saddles, hopefully eliminating future leaks.



Recommended Action – No action required.

6. RECREATION COMMITTEE **Barber & Jacoby**

7. STREET COMMITTEE **Lutz, Miller & Houser**

Item 7A: 2015 Sidewalk Project Loan

Proposals were received on January 20th for the bridge loan necessary for this project. The 1-year note will allow costs to be paid while property owner payments are pending and grant proceeds are received. The following proposals were received.

	<u>% Rate</u>	<u>Fee</u>
First Commonwealth	1.570%	\$ 750.00
First Summit Bank	1.995%	\$ 59.50
First National Bank	2.240%	\$ 84.00
S&T Bank	1.948%	\$1,000.00

Recommended Action – Accept the proposal of First Commonwealth Bank for bridge financing in the amount of \$750,000 for the 2015 sidewalk project.

Item 7B: Unit Debt Act Compliance

All new debt, regardless of duration, requires Unit Debt Act compliance involving calculation of an updated debt statement and borrowing base certificate and adoption of an Ordinance.

Recommended Action – Grant tentative approval to Ordinance #620, seeking authorization from DCED for new debt, in compliance with the Unit Debt Act.

Item 7C: 2015 Sidewalk Project Pedestrian Signals

Part of the 2015 sidewalk project is the installation of new pedestrian crossing signals at the intersection of Rowena Drive and Manor Drive. Staff has prepared bid documents for that portion of the project.

Recommended Action – Approve advertising for bids for construction of pedestrian crossing signals on Rowena Drive at Manor Drive.



Item 7D: 2015 Sidewalk Project Signs & Lights

Part of the 2015 sidewalk project is the installation of new traffic signs and streetlights. Staff has prepared bid documents for that portion of the project.

Recommended Action – Approve advertising for bids for new traffic signs and streetlights for the 2015 Sidewalk Project.

Item 7E: 2015 Sidewalk Project Tree Removal

There are eight large trees along South Center Street that need to be removed prior to the 2015 sidewalk project. This project will be under the bidding threshold. Staff has prepared documents seeking quotes for the tree removal.

Recommended Action – Approve soliciting quotes for tree removal along South Center Street for the 2015 Sidewalk Project.



8. ADMINISTRATION COMMITTEE

Lutz, Barber & Jacoby

9. GENERAL BUSINESS

- * Item 9A: Minutes of Previous Meeting(s)
The minutes of the previous regular meeting and the January 5, 2015 public hearing are presented for Council review and approval.

Recommended Action – Approve the minutes of the previous meetings.

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

At the end of each quarter, fund transfers are made in order to process transfers made to and from reserve accounts, and to distribute the cost of routine and capital expenses among the proper accounts. Fund transfers made for the 4th quarter are attached.

Recommended Action – Approve the December 2014 financial statement and quarterly fund transfers.

* Item 9C: Bills

A list of bills totaling \$342,107.96 is submitted for approval.

Recommended Action – Approve payment of the bills as submitted.

Item 9D: Zoning Amendments

Prior to consideration of this matter, an important clarification must be made. The zoning district “Multi-Household Residential” allows for duplex houses, and a maximum of six townhouses and/or apartments. It does not permit apartment buildings with more than six units. Such apartment buildings would be permitted in “Mixed Use-Village Commercial”, but that is not being proposed. At the public hearing, reference was repeatedly made to the possible construction of buildings comparable to Turner Apartments or Crossroads Meadow. Such development would not be permitted under the proposed amendment.

Ordinance #617, amending the Zoning Ordinance and Zoning Map, was first considered by Council at the November meeting. In accordance with The Municipalities Planning Code (MPC), a public hearing was conducted on January 5th. The owners of the affected properties were notified by direct mail. The Cambria County Planning Commission was informed of the proposed change. A notice was published advertising the public hearing; and the property was posted with a sign explaining the proposed change and announcing the public hearing.

There are four options:

- 1) The Ordinance could be granted final approval, as is.
- 2) The Ordinance could be rejected.
- 3) The Ordinance could be amended, and granted final approval, as amended. This is permissible only if the amendment(s) are deemed to not be “substantial”.
- 4) The Ordinance could be amended, and, if the amendment(s) are deemed to be substantial, a second public hearing is required prior to final adoption.

Sections 1-20 of the proposed Ordinance appear to have little, if any, opposition. Section 21 is a proposed change from Single-Household Residential to Multi-Household Residential of the former middle school properties. Section 21 lacks consensus.

A compromise solution is offered that would change the zoning district applicable to only the front corner parcel of the former middle school properties from Single-Household Residential to Multi-Household Residential, allowing the rear parcel to remain Single-Household Residential.

It is the Solicitor’s opinion that a decision to allow the zoning of the middle school properties to remain unchanged would not constitute a “substantial” amendment to the Ordinance, and would not require a second hearing.

Recommended Action #1 – Approve Sections 1-20 of Ordinance #617 related to land development issues, signs and definitions, creating a Billboard Sign Overlay District, expanding the Central Business District to include the former prison, and expanding the Historic Character Overlay District.

Recommended Action #2 – Either:

1. Approve Section 21 of Ordinance #617 proposing a change in the zoning district applicable to two parcels of the former middle school properties from Single-Household Residential to Multi-Household Residential.
2. Reject Section 21 of Ordinance #617 proposing a change in the zoning district applicable to two parcels of the former middle school properties from Single-Household Residential to Multi-Household Residential.
3. Modify and approve Section 21 of Ordinance #617 to change the zoning district applicable to only the front corner parcel of the former middle school properties from Single-Household Residential to Multi-Household Residential.

Recommended Action #3 – Grant final approval to Ordinance #617, as may be amended above.

Item 9E: Pawn Shop Ordinance

Ordinance #616 was first considered by Council at the November meeting. It was later amended to assure that consignment shops and similar businesses were excluded. 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. Ordinance #616 was granted tentative approval last month, has been advertised for public inspection and is ready for final adoption.

Recommended Action – Grant final approval to Ordinance #616.

Item 9F: Utility Vehicle

The purchase of a 4x4 utility vehicle is planned for 2015. The vehicle would benefit all departments. It can be used by community development at various events, by public works for maintaining the Saltlick water line and wastewater lines for Crestwood and Ebensburg Center, and by the police department for patrolling the reservoir properties. The Main Street Partnership will share the cost of this vehicle.



Recommended Action – Approve advertising for bids for purchase of a 4x4 utility vehicle.

Item 9G: Police Vehicle

The replacement of the 2010 police car is planned for 2015.

Recommended Action – Approve advertising for bids for purchase of an AWD police vehicle.



Item 9H: Babcock Doors

The replacement of two large sliding doors on the storage kiln at the Babcock property is planned for 2015. The doors are extremely heavy, slide on an unstable guide, and are dangerous to operate. Staff will be completing specifications for the new rollup doors.

Recommended Action – Approve advertising for bids for new kiln doors at the Babcock property.



Item 9I: Digital Records

Staff will review with Council progress made toward scanning the borough’s paper records into a digital format for storage and retrieval. Danielle Link, a local student that interned here during the summer, returned over the holiday break to begin scanning documents. Thus far the digital storage system includes all Council and Authority minutes, all Ordinances, subdivisions and land developments, and project plans and specifications for all borough facilities. The next phase will be the scanning of all water and wastewater maps and plans.

At a later meeting, staff will demonstrate to Council how efficiently the electronic records can be searched for and retrieved.

Recommended Action – No action required.

Item 9J: Designation of Primary EMS Provider

Ebensburg Area Ambulance Association has requested that they be formally designated as the primary provider of emergency medical services within the borough. There have been instances across the Commonwealth in which a new EMS service opened a station within a municipality, and then competed for emergency dispatches, diluting the earnings power of the local service and limiting the ability of either service to survive. A formal designation as primary provider is a pro-active measure to discourage such an effort, and is a municipal action encouraged by the Department of Health.

Ebensburg Area Ambulance Association is a non-profit organization that has proven its ability to provide the Borough with highly educated and experienced staff, and the highest quality of patient care and life-saving equipment available. They have done so for the past 47 years, and have demonstrated their ability to maintain a state-of-the-art service into the future.

Recommended Action – Adopt Resolution #2015-01 designating Ebensburg Area Ambulance Association as the primary provider of emergency medical services within Ebensburg Borough.

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 Dana 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.

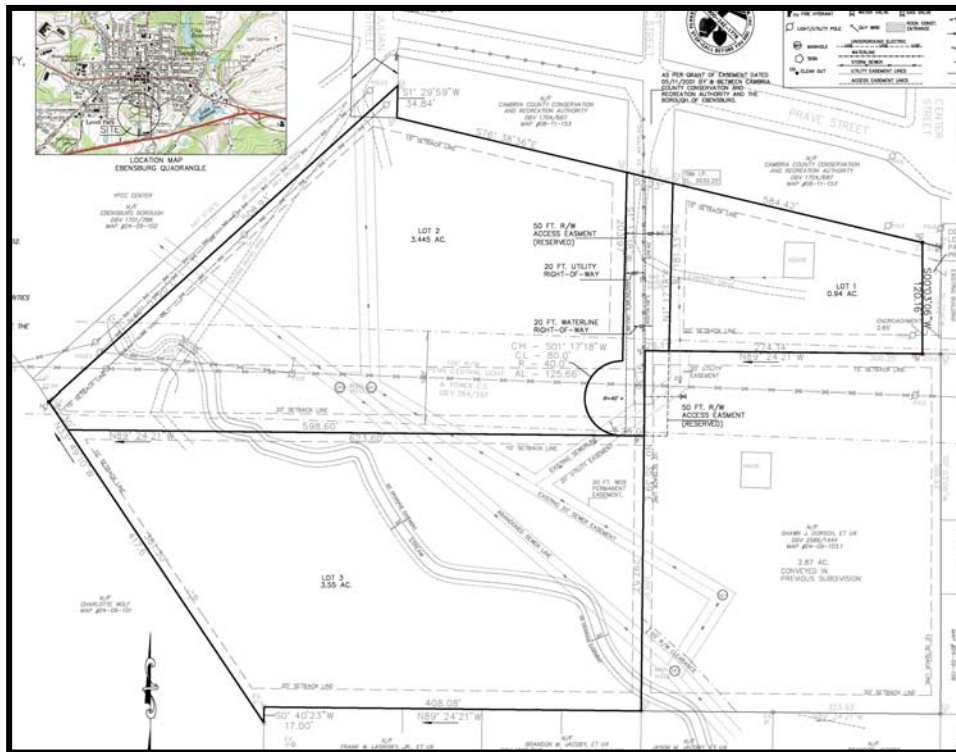
- * Item 10E: Codes Enforcement
A monthly codes enforcement report is provided in Council’s mailbox.
- * Item 10F: Ebensburg Municipal Authority
A copy of the minutes of the last municipal authority meeting is included in Council’s packet.

Item 10G: Ebensburg Planning Commission

1) Cox Subdivision

The Planning Commission is expected to grant approval to a subdivision plan for the Cox property south of Prave Street at Cherry Street. The plan creates two new parcels on the south side of the property.

This subdivision requires the Ebensburg Municipal Authority to accept ownership of the 4” water main extension into the development, and requires that the Borough ordain an extension of South Cherry Street. The street extension has been constructed in accordance with the borough’s design specifications, and will be surfaced as weather permits. It includes a turnaround at the dead end, as required. Once the street extension is ordained, the construction is completed, the Borough will assume responsibility for maintenance and plowing.



Recommended Action #1 – Grant approval to the Cox subdivision plan.

Recommended Action #2– Grant tentative approval to Ordinance #620 extending South Cherry Street in a southerly direction from Prave Street.

- * Item 10H: Ebensburg 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.