

Regular Voting Meeting – Wednesday, May 16, 2018

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, May 16, 2018, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Tony Spadaro, Dayne Dice, Toni Brockway, Josh Lorenz, Loren Kase, Jamie Lee Korn, and Carl Stepanovich. Also present were Mayor Synan, Chief Administrator James Morrison, Parks & Recreation Director Carly Greene, Public Works Director Bob Bell, and Solicitor George Kotjarapoglus.

### **REGULAR VOTING MEETING AGENDA**

**UNLISTED AMENDMENTS:** Amendment to Item 13A and an addition to Item 13C which will be an appointment to the Library Board.

Mrs. Lee Korn moved to approve the Agenda. Mr. Stepanovich seconded. All present voted aye. Motion approved.

#### **CONSENT CALENDAR ITEMS:**

**A. Accounts Payable**

**B. Cash Investments and Transfers**

**C. Consider approval of the Meeting Minutes of April 18, 2018**

Mrs. Lee Korn moved to approve the Consent Calendar Items. Ms. Brockway seconded. All present voted aye. Motion approved.

**MAYOR'S COMMENTS:** Mayor Synan announced the Youth Fishing Derby event for May 20 at 9:00 a.m. at Sloan School. A law enforcement event, Strengthening the Thin Blue Line will take place on May 20 at 11:00 a.m. at Murrysville Alliance Church. The Murrysville Farmers' Market will be on Thursdays, beginning on June 7 to Sept. 27 from 3:00 p.m. - 7:00 p.m. at Murrysville VFC Field. The Memorial Day schedule has been announced, and will begin at 8:00 a.m.

**COMMENTS BY THE CHIEF ADMINISTRATOR:** Mr. Morrison advised that the Public Works department begins their 10 hour work days this week, so they will be working Monday – Thursday.

**COMMUNITY INPUT:** Paul Kraus, 3852 Newton Court, spoke of the Sloan School Project. He asked Council how the project will impact the community and how it will affect taxes.

Mr. Lorenz replied saying that Municipal Council has limited involvement in the school project. Because it is a development, it will be looked at by Council as any other land development is. Planning Commission is also involved and takes a look at all aspects as well.

Mr. Kraus stated he is concerned that they have already made the decision to proceed with the project and he is wondering why the schools that are already here can't be fixed.

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Mr. Lorenz explained that, as a Municipal body, whether it is a good or bad idea or how it will affect school taxes are not things this Council can weigh in on.

Mr. Kraus commented that it will affect the Municipality (if it is across the street) with the roads and traffic patterns.

Mr. Lorenz stated that Council does look at things like traffic studies, and has commissioned a review of the School Districts' traffic study. They have also consulted with all of the emergency management officials, including the police, the fire department, and Medic One. Everything is being looked at from that standpoint.

Mr. Kraus asked if this Council could question the criteria to build a new school versus fixing the old school.

Mr. Lorenz answered that this Council is not the Appellate Court for the School Board. They are their own elected officials. He explained the steps that are part of development in local government and what is looked at, vetted and analyzed.

Mr. Kraus asked if there was a study done that could be viewed by the public.

Mr. Morrison commented that there was a transportation study done that was introduced 2-3 months ago, which was then evaluated by the Municipality as part of the review process. Council recommended that a third engineer take a look at it. That was done and the study has been produced. That will be released to Council whenever the application moves from the Planning Commission with their recommendations to Council for their review.

Mr. Kraus again said that he feels the School Board is pushing this through and it is a "done deal". He said he knows that there was a School Board meeting where the public could ask questions, but he doesn't believe they got specific answers, so people are upset.

Mr. Morrison stated that it is a "done deal" at the School District level. They made the decision to build the school. He explained that the Municipality needs to treat the School District just like any other property owner that would come before them. The School District owns that property and they have made a decision to develop that property. That is a permitted use on that property, and it has to go through the review process that is established by the Ordinances. The personal opinions of the Municipality as to whether or not it is a good idea cannot come into play through the review process.

Mr. Kraus commented that a lot of people that live in the area are concerned with going back and forth to work, being stopped by the buses and the traffic patterns.

Mr. Morrison said that will be part of the review process for the land use application that comes through the Municipality. He recommended Mr. Kraus stay involved and give a call with any questions going forward.

**LIAISON COMMENTS AND COMMITTEE REPORTS:** Mr. Stepanovich reported that Parks & Recreation met on May 8. The Sign Ordinance for the Visitor's Center was one topic covered at the meeting. There are questions that need to be answered regarding how the sign will be built and whether it fits into the current Ordinance or not. They are going to build a gas derrick with two bikes going up the side, which will be placed adjacent to Rt 22 in front of the Visitor's Center. There was discussion with regard to the art work, whether it should be clip art or original artwork. The Murrysville Community Development Group came up with a favorite piece, however, it cannot be shared just yet. There was also discussion

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regarding putting artwork on the Visitor's Center structure. There was significant debate on this and whether it should be there or not. This will need to be resolved. Murrysville will be maintaining the fence. There was a bench request approved for Carl Latshaw. Georgia Boring confirmed that the articles would be received by the Penn Franklin News in conjunction with the 50<sup>th</sup> anniversary of Parks & Recreation.

There were three doggie poop stations put in at the Pleasant Valley and Townsend Park and there is one more to go. Also, parks are open, the water is on, and the bathrooms are in working order. There was a geocaching meeting held on May 5. It was a success as 40+ people attended. For anyone who successfully finds all the caches, pins are available at the Municipal building. The pet first aid meeting was held, with 35+ in attendance. The star party was held yesterday, May 15. The Farmer's Market opens on June 7. Vendors for jewelry and crafts are discouraged from market, as these items have not worked out in the past. There is a desperate need for greeters at the Visitor's Center, during the weekdays from 5:00 – 7:00 p.m. and on the weekends between 9:00 a.m. and 7:00 p.m. Jill Cooper presented an overview of what the Economic Development group would see as far as signage. They were looking for what is called a "shareable moment", meaning some sort of structure at the Visitor's Center that would encourage people to have their photos taken with electronic devices and this was felt to be a good idea. The next meeting will be held at Sardis Park.

No other meetings had been held.

### WORKSHOP ITEMS

#### 9. Administration

##### A. A discussion concerning the Volunteer Emergency Services Tax Incentive Program

Mr. Morrison said that staff has been meeting with volunteer services for some time now to discuss potential implementation of Act 172 of 2016, which provides the Municipalities with an option to offer a real estate and/or earned income tax credit to active members of volunteer fire companies and non-profits. There was a meeting held about a week ago where they settled upon a list of criteria for active volunteers to be eligible. All of this information is in Council's meeting packet. What is left for Council to direct staff on is the relief/credit to be offered to the volunteers. This can be earned income and/or real estate tax relief. The earned income is based on a lump sum amount and there is no limit specified. The real estate is limited to 20% of the real estate tax, and is only on the Municipal portion of both taxes – not the school district or the county. Statistics (median income and median house values and applied formulas) are also provided in the Council packets. He said there are different ways a volunteer would be eligible for the credit. Under the earned income tax the final return will provide for a line item to apply that credit as part of the final return. The real estate is a little more difficult. What would be required is that the individual would have to show proof of paying those taxes during the current period and if the individual is certified by the Fire Chief to be eligible for the credit, would then apply to the Municipality. The Municipality would review it, certify it, and a rebate check would be issued to the individual. He noted that in other Municipalities in the area, many have opted for the earned income and he suspects that is because of the procedure for the real estate relief.

Staff is now looking for direction on how to proceed. If direction is received, an Ordinance will be

developed for presentation for advertising.

Mr. Stepanovich asked if Council was to get into looking at the detail of the handout on the point system.

Mr. Morrison said that is up to Council, if they wish to discuss it.

Mr. Lorenz said first it should be decided if this is something Council wants to do in the first place, and then decide over a course of a few meetings how Council would like that to look.

Mr. Stepanovich asked on the service criteria under calls and response, it says 40 points towards getting 50 points which would qualify an individual for an EIT or real estate credit for that year. It says "40 points for 60%", of what? Mr. Morrison said that would be 60% or greater of total number of calls or responses. He added that this only applies to volunteers of Medic One. It does not include the paid staff of Medic One.

All Council members agreed to pursue this program.

Mr. Lorenz asked Mr. Dice to consult with staff on things that have worked well, or not so well, since he is familiar with this program. Mr. Dice agreed and said he also has a sample Ordinance that can be used.

Mr. Morrison said staff will proceed, draw up an Ordinance, and bring it back to Council.

10. Engineering

11. Community Development

12. Public Works and Parks

### **COUNCIL ACTION ITEMS**

13. Administration

A. Consider approval of Fee Ordinance #977-17, Chapter 112-2-I, an Ordinance regarding revisions to existing Fee Ordinance.

Mr. Dice made a motion to approve. Mr. Lorenz commented that there was a change in the Agenda (misprint) that the Ordinance is actually 990-18.

Mr. Lorenz confirmed that this is strictly a motion to authorize advertising the Ordinance, not the actual approval.

Mr. Morrison agreed.

Ms. Brockway seconded the motion.

Ms. Greene stated that this is just a revision and a re-write of the previous Ordinance that came out of the Buildings, Grounds and Usage subcommittee. The three main topics covered at the last meeting that needed to be addressed were: Senior Center fees at the Community Center of \$5.00 a year per member (and whether or not that would continue as directed for this year), the use of the banners for advertising at Tarr Hollow (and whether that will continue since the electronic sign has been installed at Rt 22), and addition of tournament fees with field fees for seasonal rates. Also, some re-wording and verbage needs to be cleaned up.

Mr. Lorenz asked if there was any discussion. He said he has received pushback from some people on discontinuing the banners at Tarr Hollow. That topic was not well received.

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Mr. Morrison said that the Municipality didn't suspect it would be.

Ms. Greene asked if there is room for compromise with this. Mr. Morrison commented that Staff's position was made known at the last meeting, but that Staff is not the final say.

Mr. Lorenz asked if there is a way to have a company take on the responsibility of managing the banners to save Municipality staff the time, etc.

Mr. Morrison said that was done about 3 years ago, with a private company in Murrysville managing the banners. They came to the same conclusions as Staff did (and had brought forth to Council at the last meeting) and decided not to be responsible so the Municipality assumed responsibility from there.

Ms. Greene clarified that the administrative "behind the scenes" tasks such as insufficient prior notice of banners to be hung, etc., are the real problem. The aesthetics at Tarr Hollow are secondary.

Mr. Stepanovich asked how many banners go up each year. Mr. Morrison and Mr. Bell said approximately 30-40 per year. Mr. Morrison said this has been popular and its success has caused some of the problems. There was a problem with people trying to sneak private events on the banners, however, the real problem is the amount of space that is available and the timing of the banners. He does not feel these problems will go away.

Mr. Kase asked if it would be a possibility to find an alternative that wouldn't involve so much coordination/work for staff and would be more accessible.

Mr. Morrison noted the possibility of putting some alternate signage such as an electronic sign there and charging the fee appropriate to recoup the cost on it.

Mr. Lorenz asked if it is known for certain who owns the property where the banners are, as it was speculated that the church owns it.

Mr. Morrison said it is not known for certain who owns it, but it is known that the church maintains the property and there is a relationship with the church for the parking. With the right of way, there may be some split ownership there.

Mr. Bell noted that the Municipality got permission from the church to put the poles for the banners in. He said the church uses the poles for their banners as well. He added that when a banner application comes in he reviews it to ensure it is an appropriate advertisement. If a third party were brought in it could be a banner company that sells banners and, therefore, instead of 30-40 going up a year there could be 150. Also, those poles are 25 years old. With bad weather, etc., it won't be long until they come down.

Mr. Lorenz acknowledged this point, noting that such could create more problems.

Mr. Bell recognized the additional effort on the part of Scott with Signs of Excellence, saying that when there were storms recently a banner fell down and he had to go out and put it back up. This is not feasible with the fees he gets to put them up.

Mr. Lorenz added that if Council approves the Ordinance on the table this evening it does not prevent Council from implementing an alternative option.

Mayor Synan commented that he likes the idea of another electronic sign at the Tarr Hollow location. It looks neater, can roll many more advertisements at once while eliminating additional work from staff, and avoid improper banner size and timing issues.

Council members all agreed to direct Staff to look into alternative/electronic sign options.

Upon a roll call vote: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Stepanovich – yes, Mr. Kase – yes, Mr. Spadaro – yes. Motion approved.

B. Consider Approval of Resolution No. 687-18, a Resolution approving the disposal of certain

municipal records in accordance the State Municipal Records Manual.

Mrs. Lee Kornis moved to approve. Mr. Kase seconded.

Mr. Morrison said this is a housecleaning item. A list of records is provided to Council in the support documents file in Dropbox.

Mr. Lorenz explained that this is done periodically. Staff goes through records and determines what is no longer required to be kept and it is brought before Council so that records can be properly disposed of.

Upon a roll call vote: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Stepanovich – yes, Mr. Kase – yes, Mr. Spadaro – yes. Motion approved.

13. Administration

C. Consider Appointment to the Library Board

Ms. Brockway moved to appoint Tanya Simchick to the open seat on the Library Board. Mrs. Lee Kornis seconded.

Upon a roll call vote: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Stepanovich – yes, Mr. Kase – yes, Mr. Spadaro – yes. Motion approved.

14. Community Development

15. Engineering

A. Consider Approval of Ordinance No. 993-18, an ordinance accepting property and stormwater management facilities from Pittsburgh Custom Homes. L.P. ( Heritage Estates Phase III (Revision#2) Plan of Lots).

Mrs. Lee Kornis moved to approve. Mr. Spadaro seconded.

Mr. Morrison added that this is the completion of the Heritage Estates plan cleanup of the acceptance of the stormwater management facilities there, including the detention pond.

Upon a roll call vote: Ms. Brockway – yes, Mr. Lorenz – abstain, Mrs. Lee Kornis – yes, Mr. Dice – yes, Mr. Stepanovich – yes, Mr. Kase – yes, Mr. Spadaro – yes. Motion approved.

16. Public Works and Parks

A. Consider approval of a bench donation at Murrysville Community Park

Ms. Brockway moved to approve. Mrs. Lee Kornis seconded.

Ms. Greene said the Municipality received a request in April from Laura Patel Herr, Dr. Ross Miller, Art Wolfe and Bonnie Miller for a bench at Murrysville Community Park, in tribute to Carl Latshaw.

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The requestors will work with someone in Public Works to find a location somewhere in the park. This was approved and recommended at the Parks & Recreation Commission Meeting on May 8. Mr. Lorenz clarified for those not aware that each time a donation such as this is received it must come before and be approved by Council. He added that there are other things that can be donated as well. Ms. Greene said that if there is something that someone would like to donate to call the Parks & Recreation office. She is currently working on a gifting catalog, as each park has different needs and items that can be contributed to those needs. Smaller items will be available as well, such as flowers, trees, etc.

Upon a roll call vote: Ms. Brockway – yes, Mr. Lorenz – yes, Mrs. Lee Korn – yes, Mr. Dice – yes, Mr. Stepanovich – yes, Mr. Kase – yes, Mr. Spadaro – yes. Motion approved.

17. Old Business: Mr. Morrison said that staff anticipates having a presentation on the concept plans for the proposed destination playground and the splash pad by the first meeting in June. The Planning Commission meets on the 22<sup>nd</sup>. They will be beginning to hone in on their recommendations for the School District project. That will involve the transportation issues, the E&S concerns and the landscaping concerns. He said if they stay on target it looks like it will be coming before Council the second meeting in June.

Also, the first meeting in July falls on the July 4<sup>th</sup> holiday. This needs to be addressed now, as staff will be beginning to put the Public Hearing schedule together for the School District Conditional Use. He asked Council what they would like to do with regard to the July 4<sup>th</sup> meeting.

Council agreed to have the first July meeting on the 11<sup>th</sup>. Therefore, July Council meetings will be held on July 11<sup>th</sup> and 25<sup>th</sup>.

Mr. Morrison provided census data in the support documents for Council, as he felt it would be very informative and it gives a good overview of the community.

Mr. Morrison also reported that staff would like to request looking at the Noise Ordinance currently in place. As it is written now, the Ordinance is cumbersome from an enforcement point of view. Staff would also suggest Council identify a couple of members who might want to serve on a committee to identify a noise consultant to assist in the development of an amendment to that Ordinance. There are some projects coming up later this year and he would like to make sure the Ordinance in place, is enforceable, and makes sense from a development point of view.

Mr. Lorenz asked for feedback on this topic.

Mr. Stepanovich noted that with the Penn Township noise news of late, Murrysville should get ahead of the curve and believes it to be a good idea. He volunteered to work with another Council member on this.

Mr. Morrison received an e-mail from Huntley & Huntley, offering tours of the Midas well next Tuesday and Wednesday, May 22<sup>nd</sup> and 23<sup>rd</sup> at 10:00 a.m. and 2:00 p.m. The well is in Plum Borough and he said if anyone is interested in touring it, please inform him and he will make the arrangements.

The EAC meeting is May 29<sup>th</sup>.

18. New Business: New Business was combined with Old Business above.

19. Executive Session: None.

20. Action Items: Looking at the volunteer emergency services and working through it. Applicants to the Library Board should be sent thank you notes and Ms. Brockway will inform members of the appointment of Ms. Simchick at the meeting tomorrow night. Staff will work on advertising the meeting

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changes for July and will begin looking at potential signage replacements at Tarr Hollow.

Mr. Stepanovich asked Ms. Greene how the Star Party went. Ms. Greene said it was cancelled due to weather.

Mr. Spadaro asked if there have been any incidents or problems in the parks since the Dog Leash Ordinance was passed.

Mr. Morrison said he is not aware of any reported incidents and he has not seen a dog without a leash since, as he is at the parks a couple times a week.

Mr. Spadaro said a resident came to him and told him of an incident she had in Monroeville while walking her dog there. Another dog attacked her and her dog, causing injury and costing money.

Mr. Morrison said that so far people have respected the Ordinance.

## 21. Adjournment

Mr. Spadaro moved to adjourn. Mr. Kase seconded. All present voted aye. Motion approved. The Council meeting concluded at 8:08 pm.

*The Regular Voting Meeting was broadcast on local government Channel 19. A true copy of the Council meeting DVD is available for the public to purchase from the Municipality of Murrysville and is in the Murrysville Public Library for review.*