

March 3, 2010, Council Meeting
Minutes

A meeting of Clarion Borough Council was held on Wednesday, March 3, 2010, in the Clarion Free Library. President Vavrek called the meeting to order at 7:00 p.m. Councilmembers present were Messrs. Zerfoss and Walters, Dr. Sanders Dédé and Ms. Leonard, Messrs. Noto and Hopkins, and President Vavrek. Also present were Mayor Estadt, Solicitor French, Chief Hall, Mr. Ragon, and Mss. LaVan and Freenock.

On a motion by Mr. Walters with a second by Mr. Hopkins to approve the minutes of February 3, 2010, Council Meeting. After Ms. Leonard made a correction under Recreation, the minutes were approved unanimously.

Citizen Comments

A. South Seventh Avenue Storm Sewer Project

Mr. Jason McBride from Gannett Fleming reviewed the South Seventh Avenue Project, informing new Councilmembers that this project is being partially funded through an Appropriation being administered by EPA. The project is broken into three components; and the bids received will determine how much of the project can be completed. The project includes the installation of storm sewers along South Seventh Avenue and parts of Fern and Penn Avenues. New technology is being used in the catch basins to separate contaminants from the water. He asked that Council permit the bidding process to commence.

On a motion by Mr. Hopkins with a second by Mr. Walters, permission was granted for Gannett Fleming to commence the bidding process for the South Seventh Avenue Project. Motion carried unanimously.

Mr. McBride then explained that Gannett Fleming was previously authorized to take the project through the bidding process. They would like to continue to work on the project through completion. The cost is not to exceed \$54,500. Mr. Hopkins made a motion seconded by Ms. Leonard to engage Gannett Fleming through the completion of the project for a cost not to exceed \$54,500.

Mr. Zerfoss asked why an engineer was needed for this part of the project. Ms. Freenock stated that the existing Service Authorization was for design and bid services only. An engineer is needed through the construction phase to assure that the contractor is in compliance with the plans and design specifications. In addition, progress payments will be made and someone with working knowledge of the project must sign off. This grant is being administered by EPA. Mr. McBride has been working with the project manager at EPA in Philadelphia and that relationship must continue until the project is completed.

The motion was approved by a vote of six yea, with Mr. Zerfoss voting no.

B. South Street Project

Mr. Fred Cherico addressed his concerns about the South Street Project. He gave each Councilmember a hand-out, which is attached to the Official File Copy of these minutes, and which represents his comments.

Mr. Jim Crooks then addressed Council. Mr. Crooks stated that having served on Council for 10 years, he appreciates the hard work and services that Council provides with no compensation. He noted that he is a proponent of historic preservation. He stated that while on Council, the issue of placing meters along this portion of South Street was debated and no meters were placed. He stated that there are two properties that we need to treasure and preserve; the Cherico property and the Clarion House.

Ms. Mary Lee Lucas, the Executive Director and Curator of the Clarion County Historical Society, noted that she is a 7th generation Clarion County resident. She stated that preservation is important and that Clarion has a rich history.

Mr. Bill Miller stated that he appreciates the comments made by Messrs. Cherico and Crooks. He apologized to Council for not speaking up sooner. He asked why Council is expending \$100,000 when the project does not need to be done? South Street is the same width as Seventh Avenue. Make South Street no parking. Loosing University parking is not a problem for the Borough; it is the University's problem.

C. Farmer's Market

Ms. Elise Deitz, Manager of the Clarion County Farmer's Market, asked if the Market would be permitted to put banners on the lamp posts and also a sign somewhere. She has no budget yet and thus could not be more specific. The Market will be held in the parking lot as that is easier for the vendors as it gives them immediate access to their stock because they can park next to their stall.

Mr. Hopkins stated that Council has no intent to deny signs. The Zoning Officer will look at the request and advise.

Ms. Deitz noted that the Farmer's Market is good for the town and the farmers; and it provides a healthy place to eat.

Mr. Zerfoss noted that it should be held in the park and reiterated his opinion that the Sign Ordinance be changed.

President Vavrek referred the matter to Housing and Zoning and Public Works.

Ms. Deitz also mentioned that the Farmer's Market wishes to invite the PA Wineries to participate at least once a month in the weekly Farmer's Market. She stated that the PA LCB issues a special day permit and the wineries' participation falls under the PA Department of Agriculture. She asked if there would be a

problem with the Borough's Open Container Ordinance. This was referred to Committee.

D. 91.7 WCUC

Ms. Megan Shewell, representing the University's Radio station, stated that previously, the station operated a live remote during Spring Fling. Since there will be no Spring Fling this year, the station would like to have a live remote toward the end of April in conjunction with the University's Campus Fest. The students would set up in front of a store for an hour or two and then move to another store. No solicitation or sale of merchandise will occur. They will play live music and invite people to come downtown.

Ms. Vavrek stated that Ms. Shewell should fill out a Special Event Request, and the matter will be referred to the Public Works and Public Safety Committees for comment.

President Vavrek announced an Executive Session will be held at the end of the meeting to discuss the Public Works Contract. No action will be taken on it.

ADMINISTRATION

On a motion by Mr. Walters with a second by Mr. Hopkins, the appropriations for the month of March were approved by a vote of six yea, with Mr. Zerfoss voting no due to the invoices from Campbell Durrant.

On a motion by Ms. Leonard, with a second by Mr. Noto, the United Way of Clarion County's special event request for a 5K and 10K race to be held on September 25, 2010, was unanimously approved. Chief Hall noted that there was a minor route change.

Dr. Sanders Dédé made a motion, seconded by Mr. Hopkins to approve the Chamber's banner request for June 7, 2010, through July 5, 2010, regarding the "I Love Clarion" celebration. The motion carried unanimously.

Mr. Hopkins made a motion seconded by Ms. Leonard to approve the Chamber's request for a \$750 donation for fireworks for the I Love Clarion Celebration. The motion carried by a vote of seven yea.

A motion was then made by Dr. Sanders Dédé to approve the March of Dimes' special event request for the March for Babies Walk to be held on April 25, 2010. Chief Hall stated that this does not involve any police overtime. The motion carried unanimously.

Mr. Hopkins made a motion seconded by Mr. Walters to approve the PAWC Cost Reimbursement Agreement. Ms. Freenock stated that as part of the Consent Order, the municipalities are required to develop and adopt a Revised 537 Plan. Each municipality will pay its proportionate share of the cost. The Borough's share is over \$98,000. PAWC will prepare the plan. The entire cost can either be passed onto the rate payers or the Borough can advance its share and apply to DEP for a 50% cost reimbursement in

which case PAWC will reimburse the other 50% and thence only 50% of the cost would be passed onto the ratepayers in the Borough. The motion was unanimously approved.

Mr. Hopkins made a motion that the fee for the Revised Plan be paid from the CAA sale proceeds and that all reimbursements be deposited back into that account. The motion was seconded by Ms. Leonard and was unanimously approved.

Ms. Freenock stated that the Borough is required to adopt a CDBG Income and Interest Reuse Plan, which provides that any program income be put back into a qualifying CDBG Project. Even though the Borough does not generate any program income, it still must have a policy per CDBG guidelines. Mr. Hopkins made a motion, seconded by Mr. Walters, to adopt the policy. The motion carried by a vote of seven yeas.

PUBLIC WORKS

Mr. Zerfoss advised Council as to the amount of plowing miles and materials used in January. He then made a motion to extend Jason Dailey's Peer-to-Peer Contract with DCED so that Mr. Dailey can assist with the selection and implementation of software for the Public Works Department. The motion was seconded by Ms. Leonard and was approved unanimously. There will be no cost to the Borough.

Mr. Zerfoss made a motion to accept DEP's reimbursement grant in the amount of \$282,545 for the purchase of a truck and related equipment to do curbside leaf pick-up. Mr. Walters seconded the motion and it carried unanimously. Mr. Zerfoss explained that DEP agreed not to enforce curbside pick-up until they funded the equipment. This is a 90/10 grant. The brush pile will still be open 24/7/365. Mr. Zerfoss thanked Mr. Guy McUmbert of DEP for his efforts in securing this grant.

Mr. Hopkins noted that due to the population in the Borough, it is mandated to have a curbside leaf pick-up program.

PUBLIC SAFETY

Mr. Walters announced that the high bid for the 2003 Crown Victoria was J K Complete Auto Service for \$2,165.

Mr. Walters then explained that Keystone School District would like the Borough Police to offer the DARE Program at the Elementary School. There would be no cost to the Borough as the District will pay for transportation and officer time. Mr. Zerfoss made a motion seconded by Mr. Hopkins for the Police Department to conduct DARE training at Keystone Elementary School.

Mr. Walters stated that the NIMS Training was completed by several members of Council and five firefighters. This training is mandated by Homeland Security.

Finally, Mr. Walters mentioned that he and Mayor Estadt met with the officers and the Chief at 4 p.m. today. The meeting was very informative, and he thanked the officers for their comments.

HOUSING AND ZONING

Mr. Hopkins reported that delinquent rental invoices were discussed and are being processed. He also stated that Mr. Ragon and Ms. Freenock are looking at ways to streamline the rental inspection process, and the Committee is examining how best to get assistance in this area.

Mr. Hopkins also acknowledged that the Sign Ordinance must be revised, and the Downtown Merchants and the Planning Commission have been asked for comments.

RECREATION

Ms. Leonard noted that she and Ms. Freenock met with Mike Ebert from the YMCA to discuss the Pool Management Contract renewal.

Ms. Leonard also thanked Clarion and Limestone Townships for the annual recreation donations made by each.

MAYOR'S REPORT

Mayor Estadt stated that the meeting with the Police was positive and informative. That the past is past and that she looks forward to working with the Department for the next four years.

MANAGER'S REPORT

Ms. Freenock thanked the Borough residents for their patience and commended the Public Works Department on their performance during the recent weather events.

OLD BUSINESS

Mr. Walters thanked the Clarion News and The Derrick for the articles recently carried by each concerning the Clarion Borough Police Department. He stated that it was refreshing to read something positive.

EXECUTIVE SESSION

Ms. Vavrek called for an Executive Session to discuss the Public Works Contract, including all Councilmembers, the Mayor, Solicitor, and Borough Manager, leaving at 8:07 p.m. and stated that no action would be taken on the contract.

Ms. Vavrek called the meeting back to order at 9:16 p.m. No action was taken on the contract.

Mr. Hopkins made a motion seconded by Mr. Walters to eliminate parking spaces next to the Cherico residence that ½ block (on South Street from Seventh Avenue to Weaver Place). A roll call vote was taken as follows: Mr. Zerfoss, no; Mr. Walters, yes; Dr. Sanders Dédé, no; Ms. Leonard, yes; Mr. Noto, no; Mr. Hopkins, yes; and, President Vavrek, no. The motion was defeated.

There being no further business to come before the meeting, on motion made by Mr. Walters with a second by Ms. Leonard, the meeting adjourned at 9:23 p.m.

Respectfully submitted,

Nancy K. Freenock
Secretary