

May 6, 2008, Council Meeting
Minute Index

Housing and Zoning:	Shaw/Sear Conditional Use Approved
Administration:	Monthly Reports; Approved Resolutions 2008-259, 260, and 261 Relating to CDBG Projects; Approved Special Event Requests; Consent Order Approve
Downtown:	Monthly Report
Public Works:	Monthly Report
Public Safety:	Executive Session to Discuss Personnel; No Action Taken; Hired Temporary Part-Time MEO; Engaged Wooster Engineering Firm Relating to Traffic Signal
Housing and Zoning:	Permission to Advertise Zoning Amendments Ordinance and Schedule Public Hearing
Recreation:	Monthly Report
Mayor's Report:	Monthly Report

A regular meeting of the Clarion Borough Council was held on Tuesday, May 6, 2008, at the Clarion Free Library. President Wilshire called the meeting to order at 7:01 p.m. The following Councilmembers were present: Messrs. Zerfoss, Herman, Hopkins, and Wilshire and Mss. Moore, Vavrek, and Leonard. Chief Hall, Mr. Ragon, and Ms. Freenock were also present.

On the request of Mr. Zerfoss, action on the request for approval of a conditional use by Dayna Shaw/Sear Limited Partnership was handled at the beginning of the meeting. Ms. Sear's request to construct a single-family dwelling on the second floor of the property at 609 Main Street was previously approved by the Planning Commission. On a motion by Mr. Zerfoss, seconded by Ms. Leonard, Council voted unanimously to approve such use. Mr. Hopkins stated that although he is a member of the Planning Commission, he cast his vote this evening as a Councilmember; he feels that approval would be good for the community.

Mr. Hopkins also stated that the Borough Solicitor has opined that it is permissible for a councilperson to be a member of the Planning Commission. However, President Wilshire stated that there is an appearance of a conflict. A search for a member to replace Mr. Hopkins on the Planning Commission is ongoing.

Upon a motion by Mr. Hopkins, seconded by Mr. Herman, the minutes of the April 1, 2008, Council Meeting, were unanimously approved.

On a motion by Ms. Vavrek, seconded by Ms. Leonard, the minutes of the Special Council Meeting and Work Session held on April 21, 2008, were approved by a vote of five yeas with Messrs. Wilshire and Hopkins abstaining as they were not present at those meetings.

ADMINISTRATION

The appropriations for the month of June were approved by a vote of six yeas with Mr. Zerfoss voting no, following a motion by Mr. Herman with a second by Mr. Hopkins. Mr. Zerfoss voted no due to the presence of an invoice from Attorney William Strong.

Resolution No. 2008-259, approving the 2008 CDBG Grant application, was unanimously approved following a motion made by Ms. Moore and seconded by Ms. Vavrek.

Resolution No. 2008-260, Fair Housing, was unanimously approved following a motion made by Ms. Vavrek and seconded by Mr. Hopkins.

Note was made of the fact that the originally proposed 2005 CDBG Project, storm sewers on Elss Street, was a non-qualifying project. Therefore, the 2005 CDBG application required modification to authorize a qualifying project. Upon a motion made by Ms. Leonard and seconded by Mr. Herman Resolution No. 2008-261 was approved to change the 2005 Project to Main Street improvements. It was approved by a vote of six yeas with Mr. Zerfoss voting no as he believes that Elss Street is a necessary project.

The request of the Clarion Area Chamber of Business & Industry to place a banner for the Autumn Leaf Festival, and the request made by the Spec. Ross A. McGinnis VFW Post 2145 for a Memorial Day Service were unanimously approved following a motion made by Mr. Herman and seconded by Ms. Vavrek.

President Wilshire then discussed the status of the sale of the Clarion Area Authority. It appears that the sale is moving to fruition with closing to occur as early as August. There is one issue that the DEP did not cover in the proposed Consent Order despite a request to do so. Therefore, Ms. Vavrek made the following motion:

That the Borough Council accept and authorize the President of Council to sign the Consent Order and Agreement with PAWC and DEP contingent upon the receipt, review, and approval by the Borough Solicitor of an Indemnity Agreement amongst and between Clarion Borough, Clarion Township, Monroe Township, and PAWC concerning the joint and several liabilities of all parties involved in the sale of the Clarion Area Authority to PAWC

The motion was seconded by Mr. Herman and carried unanimously.

DOWNTOWN

Ms. Moore noted the following:

- Spring Fling went well despite the adverse weather;
- having Main Street merchants attend the CUP orientations is working well;
- the Main Street CDBG project is being planned;
- the delay in obtaining the parking signs is unfortunate but out of the Borough's control; and,
- the merchants would like to discuss signage issues and where they lose control of their property.

Mr. Zerfoss stated that signs are a problem. He questioned the size of some signs on Main Street and feels that the Borough should be more business friendly.

PUBLIC WORKS

Ms. Vavrek reported that:

- no summer help will be hired;
- one employee will be on military leave this summer; and,
- Clean-Up Day is May 17th; pick-up will commence in the commercial district at 6:00 a.m.

Ms. Freenock stated that she is preparing a DEP Grant to fund the purchase of a leaf vacuum. At the June Council Meeting, she plans to ask for permission to file the grant. Messrs. Zerfoss and Herman are not in favor of this; they feel that DEP authorized the drop-off program in 1991 and are now changing the rules.

Ms. Freenock stated that per Act 101, passed by the legislature in 1979, Clarion Borough is a mandated community. DEP developed regulations to implement and enforce Act 101. DEP does not have the authority to tell the Borough not to follow the law. The Act has always required that if there is a drop-off program then there must also be two annual curbside pick-ups of leaves. This is not a new requirement. For some reason, in 1991, Mr. McUmbert from DEP stated that the drop off only was sufficient. Ms. Freenock does not know why DEP is now mandating curbside pick-ups. Part of the reason may be the "Greening" movement. Mr. Herman asked that Mr. McUmbert be present at the June Council Meeting to explain the need for the change. Ms. Freenock was directed to complete the grant application and to research other alternatives.

PUBLIC SAFETY

Mr. Herman requested an Executive Session with the Mayor and Manager to attend, beginning at 7:47 p.m. President Wilshire reconvened the meeting at 8:15 p.m. and noted that no action was taken at the Executive Session.

Mr. Herman made a motion to hire a temporary part-time Meter Enforcement Officer to fill in when the current MEOs are unavailable. The candidates will be those interviewed recently for the MEO positions in order of preference. The motion was seconded by Ms. Moore and was approved unanimously.

Mr. Herman then reminded Council that last year the retiming of the Main Street lights at 5th, 6th, 8th, and 9th Avenues was discussed. The project is ready to proceed. Mr. Herman made a

motion to engage the engineering firm of D. E. Wooster to handle the project. The motion was seconded by Mr. Zerfoss. Mr. Zerfoss noted that he would like a diagonal cross as well; that is not part of the current project. The motion carried unanimously.

HOUSING & ZONING

Mr. Zerfoss requested permission to advertise Ordinance No. 2008-751, Zoning Amendments, and schedule the Public Hearing. The motion was seconded by Mr. Hopkins and was passed unanimously.

RECREATION

Ms. Leonard reported that:

- included in the packet is a report of the 2008 Parks and Recreation Academy that she attended;
- the Northwest Commission Connect/2/Communities Seminar held last week was very informative;
- the total project cost submitted in the DCNR Grant application was \$424,700 with the Borough's match coming from in-kind services, CBDG funds, and funds from the Piney Lake Advisory Committee; and, the Fish & Boat Commission may be involved in the DCNR Grant;
- the senior league field work is completed and should be ready for play at the end of the month; and,
- the pool will open on May 31st; no fee increases this year.

MAYOR'S REPORT

Mayor Stroup:

- read a letter from Heather Nulph, Clarion Hospital EMS paramedic and training coordinator, commending Officers Kemmer, Robinson, and Chief Hall on their response to a recent call and commended the Department overall for their quick and knowledgeable responses to emergent situations;
- reminded everyone that May 11-17, 2008, has been designated as National Police Week and asked that everyone place a blue ribbon on their car antenna in remembrance of those that have lost their lives in furtherance of public safety.

There being no further business to come before the meeting, on a motion made by Mr. Herman and seconded by Ms. Vavrek, the meeting adjourned at 8:34 p.m.

Respectfully submitted,

Nancy K. Freenock
Secretary