

MINUTES OF THE REGULAR MONTHLY MEETING OF THE INDIANA  
BOROUGH COUNCIL HELD TUESDAY, SEPTEMBER 6, 2011, AT 7:00 PM, IN  
THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING.

PRESENT: President Simmons, Presiding; D. Peffer, Recording; Council Members Bricklemyer, Geesey, Hartman, Jobe, Jones, Kravetsky, Petrosky, Shively and Thompson; Borough Manager Raykes; Mayor Hood; Chief Sutton; Acting Solicitor Tom Rivosecchi; Public Works Director Fairman; Code & Zoning Director Kirk; Asst. Treasurer Sipos; Fire Chief Kelly; Dr. Rhonda Luckey, IUP; Randy Wells, Indiana Gazette; Stephanie Turka, Renda Broadcasting; Representatives of Downtown Indiana, EG & G and Penn Dot; and ten (10) visitors.

President Simmons called the meeting to order, at 7:00 PM.

After a moment of silent reflection, Councilman Petrosky led the Pledge of Allegiance.

Pres. Simmons asked for a Roll Call. All Council members were present, with the exception of Councilmen Gallo and Thorell. (While Thorell was absent during the Roll Call, he arrived later at 7:02 PM.)

There was a motion by Kravetsky, second by Geesey, to approve the minutes of the Regular Meeting of August 2, 2011, as written. Motion Carried.

There was a motion by Jones, second by Geesey, to approve the Financial Reports for July 2011 as presented. Motion Carried.

The following action occurred during Public Participation:

- Stanley Jake, of Iselin, stated Borough Manager Jeff Raykes formerly served on the Indiana Borough Planning Commission, so he should be well aware of the library issue and know what is planned for the Community Center building.

The following action occurred during the Committee Reports:

**ADMINISTRATION:**

- The trash collection bids were opened and publicly announced. Chairperson Jones stated four bids were received, and the Committee would like to review them with Council at the September 20<sup>th</sup> Work Session.
- A discussion was held regarding an offer for the Borough to purchase a parcel of land from a resident. The land offer includes the gas rights, so the Committee referred this issue to Solicitor Kablack for his research.
- Chief Sutton reviewed the Police Department budget with the Committee members. All questions were answered, and no one expressed any concerns to the Chief.
- A brief discussion was held regarding an intern filling in at the Code Department. This individual was brought in only until Jim Stile and Otto Peterson returned to

work. The Committee recommends that the Ad-Hoc Committee that had been formed to look into the Code Department be reactivated.

### **COMMUNITY DEVELOPMENT:**

- The demolition permit for Giant Eagle will be approved this week.
- Planning continues on a project earmarked for South 7<sup>th</sup> Street.
- The Streetscape project on Philadelphia Street, between 5<sup>th</sup> & 6<sup>th</sup> Streets, is starting slower than expected. A full report will be presented later in the meeting.
- Dave Kirk presented a complete overview of the Code Department. He went over the history of how the department was created, its accomplishments for 2011 and goals for 2012. Kirk explained how good code enforcement works hand in hand with successful community development.

### **PUBLIC SAFETY:**

- Chairman Kravetsky commended Sgt. Anthony Clement for his recent presentation on the rise of drug use in the borough, as well as the challenges faced by the IBPD as a result of this.
- Several recognitions for performance were received for individual officers.
- Thomas Dessell achieved the rank of Patrolman First Class on August 6th.
- Councilman Bricklemyer asked why the fee for the South 5<sup>th</sup> Street Block Party had been waived, when the minutes reflect that a fee would be involved and Gerald Smith was aware of it. Kravetsky explained that the organizers had incurred quite an expense in preparing for the event and had asked Borough Manager Raykes if the fee could be waived. Since there wasn't going to be a meeting of the full body of Council prior to the event, the request was forwarded to the Public Safety Committee for action at their committee meeting. Kravetsky stated the Committee reviewed the request and decided to waive the fee. In response, Bricklemyer stated a committee can make a recommendation to Council but unless that committee has been given authority ahead of time, they can't make a change on their own. Acting Solicitor Rivosecchi suggested a motion be made to reflect the action that had been taken. A motion was then made by Kravetsky, second by Shively, that after additional information was provided regarding the expenses that the Committee had absorbed for the Block Party, the Public Safety Committee waived the fee. Motion Carried.
- Councilwoman Jones stated she had been contacted by two businesses that were greatly affected by the street closings for the "Back to School Bash". Jones didn't realize that closing Church Street also meant that Carpenter Avenue would have to be closed as well. This literally cut off business for The Flower Gallery and Uptown Fitness. Jones stated that in the future, Council needs to be fully aware of the ramifications of all street closures. Since the "Back to School Bash" has grown so much, Jones also suggested that perhaps a different location needs to be explored prior to next year's event.

### **PUBLIC WORKS:**

- There was a motion by Hartman, second by Petrosky, to repair the Police Garage floor during the second week of October, with the work probably being done by

Nathan Contracting who submitted a quote of \$8,957. During discussion, Rivosecchi stated that even though the estimate is less than \$10,000 we are still supposed to obtain three quotes for the work. Public Works Director Fairman explained that he has only been able to find two companies willing to even submit a quote for the restoration job. Rivosecchi stated that if that is the case, we need to document all of the information involved and keep it for three years. As long as we can demonstrate that we tried to obtain three quotes, then we will be fine. Motion Carried.

- Regarding the relocation of the sewer line at 15<sup>th</sup> and Philadelphia Streets, there was a motion by Hartman, second by Petrosky, to approve a resolution to enter into an agreement with Penn Dot for a 50/50 share of the expense. Hartman explained that we are being forced to do this, and there isn't anything we can do about it. Our share of the cost will be approximately \$40,000. Motion Carried.
- Councilman Thorell visited Port Allegheny today in regard to them selling their effluent water. Thorell got to meet with the Borough Manager, and he was very impressed with what he learned. Thorell stated several Indiana Borough representatives are making the trip next Tuesday, but he couldn't go then. Thorell stated there is still room available, and he urged other Council members to make the trip as well.
- Councilman Bricklemyer noted the high number of borough utility accounts that are delinquent. Asst. Treasurer Nichole Sipos stated shut-off letters were mailed out, and of the original 600 delinquent accounts we are down to around 200 already. A second letter will be mailed out shortly.

#### **SHADE TREE COMMISSION:**

- A discussion was held on trees for Locust Street.
- Councilman Thorell stated members of the Shade Tree Commission would like to attend the October 18<sup>th</sup> Work Session to discuss some long term goals and other issues.

#### **RECREATION COMMISSION:**

- A routine business meeting was held.
- The new computers have been put into service and are working well.
- Programming has increased in certain areas.
- The staff has been asked to prepare a budget for 2012 based on the exact same allotment as last year.

Borough Manager Raykes highlighted the following items from his written report:

- Council received an update on the 2011 General Fund revenues and expenditures.
- Roland Francis is working very hard on the technical assessment. Wireless internet is now available in the Council Chambers, and we have a hard drive that will allow us to store documents.
- We hosted a meeting regarding the Indiana Borough/White Township SINC-UP Project.

- Participated in a meeting of the planning group assembling a Student district Master Plan along the Wayne Avenue/Seventh Street corridor. Active planning partners are White Township, IUP and the Borough.
- Will be participating in the Hawk Walk on Wednesday, September 14<sup>th</sup>.
- Welcomed incoming students and parents with Interim President Werner and Dr. Luckey, of IUP.
- The Pension Audit is completed, and our plans are in good shape. It was a very clean audit with no findings.
- He has initiated monthly staff meetings with department heads. Councilman Hartman asked about employee evaluations. Borough Manager Raykes has been focusing on budget preparations, but plans to get to that soon.
- Councilman Geesey asked if we had looked into an external location for storing information/documents in the event of a disaster. Asst. Treasurer Sipos stated we share that ability now with the Parking Garage.

The following action occurred during Chief Sutton's report:

- Everyone received a copy of the Police Department Activity Report for August 2011.
- Council also received a copy of the Parking Department statistics for August 2011, as well as August 2010 for comparison.
- Referring to the Police Department Activity Report, Councilman Bricklemyer noted the calls for service are up quite a bit. Chief Sutton stated that doesn't necessarily mean crime is up. Those calls for service include accidents, etc.

The following action occurred during Code Officer Kirk's report:

- Kirk informed Council that earlier this year, his office was down two inspectors due to medical reasons, and he will be losing one of them again in October due to additional surgery. Chairperson Jones stated the Administration Committee will need to take a look at that.
- Kirk then answered questions regarding the various permits listed in his report.

Fire Chief Kelly reported there were 47 calls for service during the month of August, with 15 of them in the borough.

Dr. Rhonda Luckey reported the following items:

- During the summer, IUP and Borough staff met on Community Development and safety issues. Luckey stated those important meetings will continue throughout the academic year.
- Each member of Council received a copy of the letter that Dr. Luckey and Borough Manager Raykes mailed to landlords informing them of the rules and regulations for various borough ordinances.
- IUP kicked off the fall semester last weekend, and parents of the students were appreciative of the borough's involvement in that process.

- A 9/11 silent vigil will be held in the Oak Grove on Sunday, at 8:30 AM, and a tent will have a display honoring three IUP alumni lost in the fall of the World Trade Center towers.
- Council was invited to attend any of IUP's five home football games, one of which will be televised on Thursday, September 15<sup>th</sup>, at 8:00 PM.
- The Hawk Walk will take place on Wednesday, September 14<sup>th</sup>.
- Luckey would like to invite Robin Gorman to attend some future Council meetings. Gorman is the President's Executive Assistant.
- At some point, Luckey would like to share a short video that presents the stories of 18 IUP students and how being a part of the community has affected their lives.

The following action occurred during President Simmon's report:

- There was a motion by Geesey, second by Bricklemyer, to approve the Transient Business License application for the 9<sup>th</sup> Street Deli food van. Motion Carried.
- At a recent Downtown Indiana meeting, we asked to have borough representation on the Main Street Manager Search Committee, and they have accepted our request.

The following action occurred during Mayor Hood's report:

- Hood thanked everyone for their attendance.
- A meeting was recently held with the County Commissioners, Senator White and Representative Reed to discuss the library situation, and everyone is committed to continue working on this.
- On July 22<sup>nd</sup>, the U.S. Senate voted unanimously in favor of Senate Resolution #237 establishing a national moment of remembrance of the 9/11 attacks. The tribute is to begin at 1:00 PM Eastern time on September 11, 2011, the 10<sup>th</sup> year anniversary of the attacks and last for one minute. Rather than a moment of silence, the commemoration will involve the sounding of police and fire sirens and bells to recognize the sacrifice made by first responders. Hood asked that our community also join together in shared reflection and recollection of the events of that terrible day.
- Mayor Hood asked that everyone keep the military personnel in their thoughts and prayers.

The following action occurred during Unfinished Business:

- After hearing a presentation in regard to the Indiana Economic Development Project, also known as the Streetscape Enhancement Project along Philadelphia Street, there was a motion by Kravetsky, second by Jones, to continue with the course of action that the 2005 Council had taken and go with two lanes of traffic on North 7<sup>th</sup> Street and remove the diagonal pedestrian crossing at the intersection of Philadelphia and Seventh Streets. During discussion, James Golias, an engineer with EG & G, an Akron, OH firm designing the enhancements and helping to secure funding for the project as a public-private partnership, said plans

are to finish drawings for the North Seventh Street changes this year and advertise the project early next year. The left turn lane for southbound traffic on North 7<sup>th</sup> Street will be eliminated to create room for an outdoor “people space”. That area will be furnished with new benches, tables and trees. When the left turn lane is eliminated, left turns onto Philadelphia from North 7<sup>th</sup> Street will still be permitted, but all traffic heading south will queue up in one lane. Elimination of the diagonal pedestrian crossing will save about 17 seconds in each cycle of the traffic signals. That extra time will be distributed among the traffic flow times. Also, as part of the next phase of improvements, the crumbling Vinegar Hill steps and the leaning concrete retaining wall along Water Street will be replaced. Golias stated it is possible that streetscape construction enhancements could be underway simultaneously next year along North 7<sup>th</sup> Street, and along Philadelphia Street between Fifth and Sixth Streets. That area will be furnished with new sidewalks, street curbs and gutters, decorative lighting, new trees and benches. Public Works Director Fairman stated borough residents will also benefit from more reliable utility service since utility companies, at their own expense, are installing new gas, water and other utility lines while the other improvements are being made. Councilman Hartman expressed concern about the possibility of two enhancement projects being done at the same time. Hartman stated we can’t possibly block Water Street and Philadelphia Street at the same time. John McCombie, a Penn Dot Project Manager, told Council that \$1.5 million in federal funding for the streetscape enhancements will be lost if the North 7<sup>th</sup> Street project is not done in 2012. The project is now about eight weeks behind schedule. A vote was held, and the result was 9 yes, 2 no, and 1 absent. Councilmen Hartman and Thorell voted no; and Councilman Gallo was absent. Motion Carried.

- In regard to the Public Hearing held earlier, there was a motion by Hartman, second by Kravetsky, to adopt the proposed Comprehensive Plan. Motion Carried.

The following action occurred during New Business:

- Due to relocating to White Township, Councilman Jeff Geesey announced his resignation as a representative of the Fourth Ward. Geesey stated it has been a privilege to serve in this capacity, and he offered his assistance to the Borough in the future if so desired. There was a motion by Hartman, second by Bricklemyer, to accept Geesey’s resignation. Motion Carried.
- Pres. Simmons asked the media to inform the public that we are looking for someone to fill a vacancy in the Fourth Ward. Letters of interest should be sent to the Borough Manager.
- Councilman Hartman stated we will also need to appoint a replacement on the Recreation Commission, and it needs to be a Council member.
- Borough Manager Raykes then introduced Shirley Stover, a new member of the Zoning Hearing Board.

The meeting was adjourned at 9:00 PM, upon a motion by Geesey.

MINUTES OF THE PUBLIC HEARING OF THE INDIANA BOROUGH COUNCIL  
HELD TUESDAY, SEPTEMBER 6, 2011, AT 6:30 PM, IN THE COUNCIL  
CHAMBERS OF THE MUNICIPAL BUILDING.

PRESENT: President Simmons, Presiding; D. Peffer, Recording; Council Members Bricklemyer, Geesey, Hartman, Jobe, Jones, Kravetsky, Petrosky, Shively and Thompson; Borough Manager Raykes; Mayor Hood; Chief Sutton, Acting Solicitor Tom Rivosecchi; Public Works Director Fairman; Code & Zoning Director Kirk; Asst. Treasurer Sipos; Fire Chief Kelly; Dr. Rhonda Luckey, IUP; Randy Wells, Indiana Gazette; Stephanie Turka, Renda Broadcasting; Planning Consultant Rick Grossman; and Stanley Jake.

President Simmons called the Public Hearing to order at 6:30 PM.

Simmons stated the purpose of the Public Hearing was to get public testimony in regard to the proposed Comprehensive Plan.

Stanley Jake, of Iselin, then spoke on behalf of the Indiana Free Library. Jake stated the library is referred to numerous times in the document, but everyone knows that their lease expires in 2015 and it will no longer be located in the Community Center Building. Jake again asked what is going to take its place there. Jake feels the lack of a library will greatly affect the school and real estate tax values. When people are reviewing the Comprehensive Plan, they are under the assumption that there is a library here, so they need to be informed that it isn't going to be here any more.

In response, Councilwoman Jones stated we don't know that the library isn't going to be here. Right now, the lease has been renewed until 2015. Jake stated he had previously asked that the borough grant the library a 20 year or permanent lease. Pres. Simmons stated we are continuing to work on this.

Pres. Simmons then introduced Mr. Rick Grossman, a Planning Consultant from Grove City, who once again presented a brief overview of the proposed Comprehensive Plan. Grossman informed Council that White Township intends to adopt the Indiana Borough Comprehensive Plan as an amendment to its own. That way you end up with a multi-municipality Comprehensive Plan and can establish a little better communication. Grossman explained that if White Township ever adopts a Zoning Ordinance, there is the opportunity to treat the entire borough and township for the purpose of zoning. We would be better able to control such things as strip clubs, bottle clubs or student housing.

President Simmons then read the intent of the Comprehensive Plan for the benefit of everyone in attendance, and he emphasized the fact that state agencies use this plan for the purpose of issuing state grants.

Grossman then told Council that they have an excellent Planning Commission, who has put a lot of time and effort into this, and our Code & Zoning Department is one of the best he has ever worked with.

Borough Manager Raykes commented that there isn't a vision statement in the plan. In response, Grossman stated the community goals and objectives represent the vision and how you would respond in various portions of the borough.

Referring to the section that stated IUP students represented 60% of the population in 2000, Councilman Brickleyer thought that sounded like a high number to him. Both Grossman and Code & Zoning Director Kirk stated the number was higher than they thought it would be too, but they explained the various sources used to obtain the data.

Councilman Brickleyer then asked about the buying and selling of development rights. Grossman stated this power was granted by the state. One of the amendments for the Zoning Ordinance could be a Transfer of Development Rights to transfer the right to rent to students. Grossman explained that if you own the property, it would be similar to separating the real estate and mineral rights. It would enable you to approach a landlord and ask about transferring them to another portion of town. The borough could even buy rights and sell them to another developer.

Pres. Simmons stated we had received a letter from the White Township Supervisors, who support our efforts to do this.

Pres. Simmons declared the Public Hearing closed at 7:00 PM.