

MINUTES OF THE REGULAR MONTHLY MEETING OF THE INDIANA  
BOROUGH COUNCIL HELD TUESDAY, APRIL 6, 2010, AT 7:00 PM, IN THE  
COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING.

PRESENT: President Gallo, Presiding; D. Peffer, Recording; Council members Bricklemyer, Geesey, Hartman, Jobe, Jones, Petrosky, Shively, Simmons, Thompson and Thorell; Borough Manager Gabler; Police Chief Sutton; Mayor Hood; Wayne Kablack, Esquire; Public Works Director Fairman; Code & Zoning Director Kirk; Chuck Kelly, Indiana Fire Association; Dr. Rhonda Luckey, IUP; Betsy Lauber, Downtown Indiana; Randy Wells, Indiana Gazette; Celeste Gossman, Renda Broadcasting; Michael Kennedy, IUP; and five (5) visitors.

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

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

Pres. Gallo asked for a Roll Call. All Council members were present, with the exception of Councilman Kravetsky.

There was a motion by Jones, second by Simmons, to approve the minutes of the Public Hearing of March 2, 2010, as written. Motion Carried.

There was a motion by Jones, second by Bricklemyer, to approve the minutes of the Regular Meeting of March 2, 2010, as written. Motion Carried.

There was a motion by Jones, second by Simmons, to approve the minutes of the Special Meeting of March 16, 2010, as written. Motion Carried.

There was a motion by Jones, second by Shively, to approve the Financial Reports for February 2010 with a corrected page 2 that was distributed this evening. Motion Carried.

Councilwoman Jones explained that the Financial Reports will now be presented two months behind, so that it will reflect a more complete picture. This will give Nichole time to completely close out the previous month and reconcile the bank statements. For example, at the May Council meeting, the Financial Reports for March will be reviewed and acted upon. Jones thanked Borough Manager Gabler and Nichole Sipos for changing the formatting procedure.

Pres. Gallo introduced Michael Kennedy, who will be acting as the IUP Student Community Liaison. Kennedy thanked Council for the opportunity to serve in this capacity and presented an update on some of the activities occurring on campus.

Pres. Gallo asked for any Public Participation, but there was none.

The following action occurred during the Committee Reports:

### **ADMINISTRATION:**

- ◇ A new reporting method has been implemented for the monthly Financial Reports.
- ◇ Chairperson Jones asked for clarification on the upcoming employee evaluations. Jones asked if this was to include all employees or just management. Councilman Hartman stated the intent was for all employees to be evaluated at some point in time; however, some of the supervisors need to be trained to do this first. Jones explained that Borough Manager Gabler will be handling the training procedure, and then the evaluation process can begin.
- ◇ The asset smoothing method that was previously recommended by the Committee and rejected by Council will be reviewed again.
- ◇ The library lease expires on December 31, 2012, so we will need to start thinking about that. Borough Manager Gabler stated this will be discussed further in Committee and then brought up at a Work Session.

### **COMMUNITY DEVELOPMENT:**

- ◇ The Committee discussed snow removal with Downtown Indiana and since there is no agreement in place, Chairman Simmons stated we need to get together and work on a direction of how to handle this in the future.
- ◇ The following projects were mentioned: The McDonald's Wayne Avenue project will start soon; a meeting was held with Giant Eagle relating to keeping a store at the Seventh Street location after the new store is built; the new Dollar General Store on North Fourth Street is now under construction; and construction of a new building in the ten hundred block of Philadelphia Street is on the drawing board.
- ◇ Nick Karas, of Nap's Cucina Mia located at 1033 Philadelphia Street, is interested in the possibility of outdoor dining with alcohol service. The Committee is interested in this idea and wants to look at how other communities are handling outdoor dining. They have gotten ordinances from other communities and have turned them over to Solicitor Kablack for his review, in possibly preparing a draft ordinance for here.

### **PUBLIC SAFETY:**

- ◇ The Committee welcomed Michael Kennedy to their meeting. He will act as an IUP Liaison.
- ◇ Performance recognitions were presented to numerous staff members.
- ◇ There is a Civil Service testing scheduled for mid May.

### **PUBLIC WORKS:**

- ◇ There was a motion by Hartman, second by Thorell, to accept the low bid of \$51,300 of Strongland Roofing Systems for the Sewage Treatment Plant Control Building Roof Replacement Project. Motion Carried.
- ◇ The Wayne Avenue KCAC Project and the South Street Project will be starting soon.
- ◇ There was a motion by Hartman, second by Simmons, that the County release \$130,604 of the H2O Project to White Township and retain the rest of the million dollar grant for us. Motion Carried.
- ◇ Chairman Hartman stated the extra money for the snow removal expenses came out of the Liquid Fuels account. Now that money won't be available for

purchasing new equipment, etc. Hartman reported that our equipment did fairly well over the winter, but we did lose the transmission in one of the trucks. Hartman stated that we were in need of a set of chains for one of the vehicles, and the Fire Department donated them to us. Hartman wanted to publicly thank the IFA for their contribution.

- ◇ Limb collection has started in the First Ward. Public Works Director Fairman stated it is always going to be on the day after garbage collection in the various wards.

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

- ◇ They anticipate a spring planting of 30 to 40 trees.

#### **RECREATION COMMISSION:**

- ◇ A routine business meeting was held.
- ◇ They discussed how to dispose of the remaining items at the garage. Some old files need to be shredded, and the rest of the equipment will be advertised for sale or discarded.
- ◇ A computer lease is up, and the Commission discussed purchasing it in order to have a backup for the office.
- ◇ A quarterly billing procedure for the three entities has been established, and the Commission hopes to be able to pay back the money it owes the borough ahead of schedule.
- ◇ A part-time person has been hired to mow the Paul McGregor Memorial Park on Water Street, and the Street Department has prepared the field with lines and nets for soccer season.

Borough Manager Gabler didn't have a report this month.

The following action occurred during Chief Sutton's report:

- ◇ Everyone received a copy of the Police Department Report for March 2010.
- ◇ Council also received a copy of the Parking Department statistics for March 2010, as well as March 2009 for comparison.
- ◇ Sutton will be meeting with IUP on Thursday, regarding cooperative efforts in trying to curtail certain activities, as well as discussing trends and how to prevent them.
- ◇ Sutton then answered questions about some of the statistics found in the various categories of his report, and stated the "drug of choice" these days is heroine.

In addition to the previously mentioned projects, Code & Zoning Director Kirk stated Dave Moore has broken ground on his TND project on South 7<sup>th</sup> Street.

Pres. Gallo wanted to publicly thank the Indiana Fire Association for assisting his mother-in-law recently. A vehicle ran into her house, and she was very shaken up about the incident. Members of the IFA helped board up her house until a contractor was able to come and repair it.

The following action occurred during Dr. Luckey's report:

- ◇ Luckey wanted to thank Betsy Lauber and the borough for putting together such a wonderful celebration to honor our high school and collegian athletes.
- ◇ The ICUC is recruiting a student representative. Applications are due April 16<sup>th</sup>, and they are working very closely with the staff to ensure it is a rich pool of students to select from.
- ◇ They are working very diligently to make sure the student census forms are distributed, completed and returned to make sure accurate information is received for the enumerators.
- ◇ Luckey referred to an article that appeared in the *Indiana Gazette* recently about new construction that is taking place for off-campus housing among private developers. Luckey informed Council that next week, their facility planners will return to Indiana to look at not only IUP's master plan, but also share some of the observations and data that they have collected for off-campus needs as well. This meeting will take place on Tuesday, April 13<sup>th</sup>, at 2:00 PM, in the Delaney Hall multi-purpose room, and Luckey hopes members of Borough Council and the Planning Commission can attend.
- ◇ For the past five years, IUP has had a Department of Justice Grant to support the prevention of violence, especially among women. Luckey stated a community coalition is being formed, and she knows that there will be community and borough representatives involved. According to Luckey, that grant helps support the community. It is not just federal funds for the University.

The following action occurred during Pres. Gallo's report:

- ◇ Sheetz is having a flag-raising and reopening celebration on April 21<sup>st</sup> between 10:00 AM and 11:00 AM.
- ◇ Gallo and Mayor Hood participated in the celebration honoring Indiana athletes this evening.
- ◇ Gallo asked for Council's support in allowing Borough Manager Gabler to use his judgment to determine whether or not staff personnel need to attend certain meetings. If there isn't anything on the agenda that involves them, Gabler would be able to excuse them from attending. Council agreed with this request.

Mayor Hood reported the following items during his report:

- ◇ Mayor Hood was also pleased to be able to participate in the festivities honoring the athletes this evening.
- ◇ Hood hopes Council reads the information regarding the H.R. 4812, the Local Jobs for America Act and then gives its support.
- ◇ Hood asked everyone to please keep the military personnel in their thoughts and prayers.

The following action occurred during Unfinished Business:

- ◇ There was a motion by Simmons, second by Thompson, to adopt the Codification Ordinance. During discussion, Councilman Hartman noted several corrections

that needed to be made, and he didn't feel the ordinance should be adopted as is. A motion was then made by Hartman, second by Thorell, to table this matter for now. Borough Manager Gabler explained that this was a long process, over two years. While it isn't perfect, it has been already been printed & advertised, and Gabler strongly recommended that Council adopt this ordinance. We can make a list of the changes that need to be made as we come across them, but failing to adopt this ordinance now would be a total waste of time and money and put us back at square one. A vote was held on the motion to table, and the result was: 1 yes, 10 no, and 1 absent. Councilman Hartman voted yes, and Councilman Kravetsky was absent. Motion Denied. A Roll Call Vote was then held on the motion to adopt the ordinance, and the result was: 10 yes, 1 no, and 1 absent. Councilman Hartman voted no, and Councilman Kravetsky was absent. Motion Carried.

- ◇ Councilman Bricklemyer wanted to make sure everyone was aware of what was approved for Dave Moore regarding his five additional parking spaces. Bricklemyer asked Solicitor Kablack for his opinion in regard to making future changes retroactive to past requests. Kablack stated that he would suggest making current regulations apply to requests being made at the time; however, once Council has made a deal on a request, you need to abide by the deal. Bricklemyer then questioned whether a payment plan was permitted by the ordinance. Code & Zoning Director Kirk stated there isn't anything to prevent it, and we already have a payment plan with the Delta Tau Deltas. It is a five-year payment plan with interest. Councilman Hartman questioned how long Moore would have to allow the new rules to kick-in. Hartman felt the date of the occupancy license would be the best time frame. Kirk stated there will be a legal agreement regarding the parking between Moore and the borough. Pres. Gallo suggested Kirk bring the agreement to the Community Affairs Committee once it is drawn up.
- ◇ Councilman Simmons wanted to speak to Council about the asset smoothing recommendation that was rejected by Council at a previous meeting. Simmons stated we are really handcuffing our actuary's hands, and he hopes Council will rethink its decision. Borough Manager Gabler also spoke in support of asset smoothing and stated it will help reduce the amount of money we need to put in for our MMO. However, several Councilmen expressed concern about the idea of asset smoothing. After a lengthy discussion, Pres. Gallo asked the Administration and Pension Committees to look into this further, and he invited all members of Council to attend those meetings.

The following action occurred during New Business:

- ◇ There was a motion by Shively, second by Jones, to adopt a resolution in support of preserving the neighborhood elementary schools in Indiana Borough. The vote was: 9 yes, 2 abstained, and 1 absent. Councilmen Geesey and Hartman abstained, and Councilman Kravetsky was absent. Motion Carried.
- ◇ In regard to Elm Street funds, there was a motion by Hartman, second by Geesey, to approve a resolution authorizing the filing of a proposal for \$250,000 with the Department of Community and Economic Development. Motion Carried.

- ◇ Betsy Lauber asked everyone to help the Indiana Free Library win a \$50,000 grant by voting for their application at [www.indianafreelibrary.org](http://www.indianafreelibrary.org). You can vote each day during the month of April, and your support would be greatly appreciated. This information will also be posted on the borough's website.

The meeting was adjourned at 8:40 PM, upon a motion by Geesey and a second by Shively.