

August 2, 2016, Council Meeting
Minutes

The regular meeting of Clarion Borough Council was held on August 2, 2016, in the Assembly Room of the Clarion Free Library. President Lapinto called the meeting to order at 7:00 p.m. Everyone recited the Pledge of Allegiance. Councilmembers present were Mr. Zerfoss, Ms. Roberts, Dr. Sanders Dédé, Mr. Aaron, Mr. MacBeth, and President Lapinto. Mr. Noto was absent. Chief/Secretary/Treasurer Hall, Mr. Colosimo, Mr. Preston, Mr. Sharrar, and Ms. LaVan were also present. Mayor Walters and Solicitor Marshall were absent.

Due to the absence of Mayor Walters, President Lapinto stated she will not be able to vote as she will be acting in that capacity.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve the July 5, 2016, Public Hearing, minutes. The motion carried with a vote of four yea with Mr. Aaron abstaining as he was absent.

On a motion by Mr. Zerfoss with a second by Ms. Roberts, approving the July 5, 2016, Council Meeting, minutes, were carried with a vote of four yea with Mr. Aaron abstaining as he was absent.

CITIZEN COMMENTS: Agenda Items

Ms. Wendy Nickerson, representative of the Pennsylvania State Association of Boroughs, presented the Borough with a 175th Anniversary plaque and stated PSAB extends best wishes for continued success and a prosperous future. It is an honor that Clarion Borough has wonderful elected officials and terrific citizens that make it a great place to live.

Mr. Jeff Mills, representing the Glass Works Business Park and the proposed Tax Increment Financing (TIF), reminded everyone he was present quite some time ago to discuss the TIF and the project. Since then, Secretary Hall and President Lapinto participated in two TIF Committee Meetings to devise a TIF Plan, which is attached to the Resolution. Mr. Mills provided an approved time line indicating tonight Council will approve the resolution, which means Council is opting to participate in the TIF. In addition to that, there was an attached publication for a public hearing, which needs to take place after 30 days, which will be prior to the September 6th Council Meeting. That will be advertised August 4th. Mr. Mills reported the Clarion County Board of Commissioners will opt to participate August 23rd and the Clarion School Board will opt to on August 16th. Once all those taxing bodies agree to participate, the public hearing will be held and then on October 4th, there will be another meeting to create the TIF District by the Borough. Mr. Mills asked Mr. Tharan Miles to refresh Councilmembers on where the park is exactly, the proposed buildings, and what the TIF proceeds would be used to fund.

Mr. Miles stated the park is located at the former Owens-Illinois Glass Plant in Clarion along Grand Avenue, with bordering streets being Veterans and Sheridan Drives. The project is proposed to be built in the former hot end of the Owens-Illinois Glass Plant, which is currently a

grassy field. Mr. Miles commented the park will include, as of right now, six structures. When it's finally completed, over 200 jobs will be created.

Mr. Mills asked for any other questions?

Dr. Sanders Dédé inquired if the proposed 200 jobs will be light industrial, will these be companies coming in, or are people already in place to set up to build in there?

Mr. Miles stated they are looking to reach outside the area to bring jobs into the area from 150 miles away to out of state as well. They would like to persuade the light industrial, commercial use companies to come into the area and build. Advertising will be nationwide. Through the TIF, the Miles' are going to be very flexible with whether the companies want to come in and buy the property outright, whether they want to lease the land and build on it to suit, or whether they want the Miles' to build the structure to fit their needs. Mr. Miles pointed out the infrastructure surrounding the park will be able to supply any industry that would hope to come into the area. However, personally, heavy industry is not being sought. Light industry that provides no pollution is what's desired.

Dr. Sanders Dédé inquired if the Miles' will have a relationship with the Small Business Development Center at Clarion University?

Mr. Miles stated absolutely. In discussions with several of the business professors, they have interest in using it for a real estate department. The Small Business Development Center did a projection for them, and potential businesses will be directed to use them to secure the funding to build individual buildings.

Mr. Ryan Miles stated interest from small manufacturer companies for tool and die and powdered metal has been received. The SBA could provide assistance to these types of businesses as most of them are small business owners. Mr. Miles will target these types of companies to the area. It's in Crawford, Jefferson, Elk, and Erie Counties now. Clarion is the right environment for it as well.

President Lapinto pointed out the Miles' submitted an application for the road and storm sewers and asked them to touch on that for everybody.

Mr. T. Miles reported they submitted a Multimodal Transportation Fund (MTF) Grant application on Friday through DCED. Grand Avenue needs improvement. In the past, it was used primarily for Owens-Illinois as a freight lane. It's several deteriorated. The infrastructure has failed, storm sewer system is failing, and it no longer has the strength to hold the tractor and trailers or the amount of freight the Miles' plan on bringing into the area. The grant would improve Heidrick Street at Route 66 (Greenville Avenue) from that intersection to the intersection of Grand Avenue and Payne Street as well as Sheridan Road from Route 322 (Main Street). Mr. Miles commented that area has a heavy amount of pedestrian traffic. With increased freight or commercial traffic, there's a need for additional safety for pedestrians

walking back and forth to Eagle Park and other college apartments in that area. Obtaining this grant will allow them to redo the storm sewers, pavement of the roads, fix the curb issue, fix the drainage issue, and then also provide the lighting and sidewalks to pedestrians. Mr. Miles stressed it would be a direct benefit to the Borough as well as the park.

Mr. Mills noted the support of the taxing bodies helps the Miles' for this grant so they can see what this is for and the job creation.

President Lapinto thanked the Miles' for putting this together, feels it would be a tremendous help for the Borough, and supports them in this endeavor.

ADMINISTRATION

On a motion by Mr. Zerfoss with a second by Mr. Aaron, approving the appropriations for the month of August, was carried with a vote of five yea.

President Lapinto stated the Treasurer's Report of Fund Totals and Budget Analysis are in the packet for Council's review.

President Lapinto reported there's a new request for a Charity Run to be held November 12, 2016, and asked Secretary Hall for comments.

After speaking with Dr. Hartley from the University, Secretary Hall stated the run starts at Toby, proceeds up Third Avenue, and ends at the high school parking lot. Police protection will be provided at certain intersections, which the Borough will be reimbursed. Secretary Hall recommends Council approve it.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve the Clarion University Student Veteran's Association's special event request for a Charity Run to be held November 12, 2016. The motion carried with a vote of five yea.

President Lapinto commented another new request for a Zombie 5K/Fun Walk has been received and asked Secretary Hall if he had anything to add.

Secretary Hall announced this event will be held October 22, 2016, and plans to use the pre-approved route with a slight change in the addition of the cemetery to the University. There is no problem with this request. Police protection will be provided and reimbursed. Secretary Hall recommends approval.

President Lapinto asked if this is a new group?

Secretary Hall commented it's the track team at the University and will be running/walking this at twilight. It's around Halloween time, and the participants are going to be in costumes.

On a motion by Mr. Zerfoss with a second by Mr. Aaron, approving the Clarion University Cross Country Track & Field's special event request for Zombie 5K/Fun Walk "Be a Survivor" to be held October 22, 2016, was carried with a vote of five yea.

President Lapinto reported the Chamber would like to close Seventh Avenue from Main Street to Merle Road on Tuesday, September 27, 2016, for the sponsor reception during Autumn Leaf Festival, which everyone is invited to attend.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth, approving the Clarion Area Chamber of Business & Industry's request to close Seventh Avenue from Main Street to Merle Road on Tuesday, September 27, 2016, for the sponsor reception, was carried with a vote of five yea.

On a motion by Mr. Zerfoss with a second by Ms. Roberts to approve the Clarion Area High School's special event request for ceremonial bonfire to be held September 1, 2016.

Dr. Sanders Dédé inquired what the fire safety and regulations are and doesn't want to see a similar story on television as the Texas A & M's collapse that killed many people.

Secretary Hall commented the same precautions as in the past will be used again. The fire and police departments will be there to assist.

With the County being under a burn ban right now, Mr. Aaron asked what happens?

Mr. Preston stated the event is not until September, and the ban is for 30 days. If it's not lifted, then they won't be allowed to do it.

Secretary Hall stated that will be added as a stipulation in the letter.

Dr. Sanders Dédé questioned again who supervises the construction and actual area to be burned?

Mr. Sharrar added the fire department builds and lights the pile and will stay at the scene until the fire is out. Everybody is kept back 50'-75'.

The motion carried with a vote of four yea with Mr. Aaron voting no.

President Lapinto asked Secretary Hall to explain the cooperation agreement between Clarion Borough and Clarion County for the administration of the Borough's 2015 CDBG.

Secretary Hall reminded everyone the municipal entities now have to go to the County as of 2015 with the administration and full running of the CDBG Program. This agreement indicates the Borough will receive 13% of the 18% of administration funding for 2015, which Mr. Colosimo will use to do his part of the program. The remaining 5% will be retained by the

County to handle the money and contracting part of the program. Secretary Hall commented it will be a 1-year agreement for the 2015 CDBG funds that are coming in.

On a motion by Mr. Aaron with a second by Dr. Sanders Dédé to approve the cooperation agreement between Clarion Borough and Clarion County for the administration of Clarion Borough's FFY 2015 Community Development Block Grant (CDBG). The motion carried with a vote of five yea.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to approve Clarion Glass Works Tax Increment Financing (TIF) Project Resolution #2016-391, opting to participate in TIF Plan. The motion carried after the following roll call: Mr. Zerfoss: yes, Ms. Roberts, yes; Dr. Sanders Dédé, yes; Mr. Aaron, yes; and, Mr. MacBeth, yes.

On a motion by Mr. MacBeth with a second by Dr. Sanders Dédé, giving permission authorizing publication for Public Hearing on the Tax Increment Financing to be held September 6, 2016, at 6:45 p.m., was carried with a vote of five yea.

BLUEPRINT COMMITTEE

Dr. Sanders Dédé commented the Blueprint Committee continues to meet twice a month working on projects that include the Clarion Borough community and on writing the strategic plan to improve the Borough. Right now, the sign is approved and is at the printer. The Committee developed a sign with the assistance of a grant from the downtown community to advertise Main Street from Liberty Street to Wood Street and Second Avenue to Ninth Avenue with arrows point to the Borough Office, the Hospital, the State Police, and Cook Forest. Dr. Sanders Dédé hopes it will be up in the next month. It will be placed on the island at Ninth Avenue.

President Lapinto added the Committee thought this was a good location and hopefully parents and students will look at it and go downtown to shop.

Dr. Sanders Dédé reported every business on Main, Liberty, and Wood Streets are on that map. The Committee made a commitment twice a year to update it.

Dr. Sanders Dédé informed everyone the Blueprint Committee's current project is a grant to be able to do concerts for entertainment in the Borough. This was submitted to Pennsylvania Department of Humanities.

Dr. Sanders Dédé stated there will be a block party on August 9th on 6th and Main.

Dr. Sanders Dédé announced on October 2, 2016, from Noon to 4 p.m. on Fifth Avenue from Merle Road to Main Street, the Borough will be celebrating their 175th anniversary with a 175 pound sundae. Entertainment, performers, proclamations, presentation of the plaque, and some period dressings walking tours are just some of the activities. The Clarion Area Band, University band, and University singers that just went on an international tour will also perform.

This is a cooperation junction between the Clarion Area Chamber of Business & Industry and the Blueprint Committee.

PUBLIC WORKS

Mr. Zerfoss commented the Public Works Report is in the packet for everyone's review and asked Mr. Preston for anything additional.

Mr. Preston reported everything is going well, and the Department is busy patching potholes.

Mr. Zerfoss asked Secretary Hall to handle the next two items.

Secretary Hall reported the Borough needs permission to accept the lowest responsible bid submitted for the Clarion Borough 2016-2 Toby Street Storm Sewer Repair Project with contract to be ratified at the September 6, 2016, Council Meeting. This is to repair two storm drains down on Toby.

On a motion by Mr. Zerfoss with a second by Mr. MacBeth, giving permission to accept the lowest responsible bid submitted for the Clarion Borough 2016-2 Toby Street Storm Sewer Repair Project with contract to be ratified at the September 6, 2016, Council Meeting, was carried with a vote of five yea.

Secretary Hall commented the second item is to complete a concrete project at Second Avenue and Wood Street, where the Public Works Department actually replaced the storm sewer line. This motion is to solicit price quotes/bids for concrete restoration and to accept the lowest responsible quote/bid submitted to be ratified at the September 6, 2016, Council Meeting. This work must be in compliance with ADA requirements, which is why the Public Works employees cannot do it.

On a motion by Mr. Zerfoss with a second by Mr. Aaron to give permission to solicit price quotes/bids for the Clarion Borough #2016-3 Second Avenue and Wood Street Concrete Restoration Project and to accept the lowest responsible price quote/bid submitted with the contract to be ratified at the September 6, 2016, Council Meeting. The motion carried with a vote of five yea.

STORM WATER AUTHORITY

Secretary Hall stated calculations for all the impervious roofs, driveways, and sidewalks are happening right now.

PUBLIC SAFETY

On a motion by Mr. Aaron with a second by Mr. MacBeth, accepting Joni Curran's resignation as meter enforcement officer, effective July 5, 2016, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth, giving permission to hire Natalie Schmude as part-time meter enforcement officer at the rate of \$9.23 per hour, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth, accepting Scott Robinson's resignation as police officer, with regrets, was carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to give permission to hire Roger Wright as a probationary police officer at the starting base wage of \$35,817.60 per year, or \$17.22 per hour (70% of base rate), contingent upon passing the psychological exam and physical exam.

President Lapinto noted the Civil Service Commission supplied these names to Council.

Dr. Sanders Dédé asked for Mr. Wright's qualifications.

Chief Hall informed everyone Mr. Wright was previously a sergeant with New Bethlehem Police Department, is currently the Chief in Ford City, and has been one of the Borough's part-time officers for 5 years.

The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to give permission to hire Justin O'Neil as a probationary police officer at the starting base wage of \$35,817.60 per year, or \$17.22 per hour (70% of base rate), contingent upon passing the psychological exam and physical exam.

Dr. Sanders Dédé asked the same question for Mr. O'Neil.

Chief Hall announced Mr. O'Neil was the K-9 officer for Knox Borough, was Chief in Knox Borough, and has been an officer at Clarion University for about 3 years now.

The motion carried with a vote of five yea.

On a motion by Mr. Aaron with a second by Mr. MacBeth to give permission to hire Zayne Rhed as a regular part-time police officer for a guarantee of 30-hours per week at the starting base wage of \$26,863.20 per year, or \$17.22 per hour (70% of base rate), contingent upon passing the psychological exam and physical exam, with a guarantee to be a full-time officer no later than January 1, 2018.

Dr. Sanders Dédé asked for Mr. Rhed's qualifications.

Chief Hall reported Mr. Rhed is a full-time officer at the University and a part-time officer in DuBois City.

The motion carried with a vote of five yea.

LIBRARY REPORT

There was none.

HOUSING AND ZONING

Mr. Sharrar stated the report is in the packet for everyone's review.

PARKS AND RECREATION

Secretary Hall reported the pool will close on August 21, 2016, at 6 p.m.

Mr. Aaron commented the softball field looks good.

SECRETARY'S REPORT

Secretary Hall had nothing to report.

MAYOR'S REPORT

President Lapinto, in the absence of Mayor Walters, had nothing to report.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

CITIZEN COMMENTS: Non-Agenda Items

Mr. Donald (Bud) Bender stated he lives 550 miles away but first came to Clarion in 1967, where he went into real estate/ insurance business with another gentleman. Mr. Bender believes he had the first student housing in Clarion. According to the newspaper, the July meeting involved discussion on student rentals. Mr. Bender voiced concern with the property values in Clarion, which have dropped like a rock. There are a number of reasons for this occurring. In his opinion, one reason is nobody in Clarion is being innovative or creative. People from outside Clarion are the ones doing things. In July, the article used the term slum landlords. Mr. Bender agrees there may be some but he is not one. As a matter of fact, he would put his apartments up against most homes in Clarion. Mr. Bender stressed the big issue in Clarion is called the Foundation. They are having a big effect on property here and the way things are going. While it's okay to be competitive, Mr. Bender doesn't believe it's fair when all the cards or aces are in one hand. The Foundation sued the Clarion County Assessment Office to get special taxation treatment in 2002, resulting with them not paying the same amount for taxes as everybody else. Mr. Bender stated his taxes are going up and his property values are going down. As a matter of fact, Mr. Bender lost a sale this week on a house he owns on East Eighth Avenue, because the individual could go out and buy a lot cheaper home. The nice thing about it, Mr. Bender is in a position where he doesn't have to sell his properties. At one time,

the University was an asset. However, Mr. Bender feels they have become a liability, especially the Foundation. Again, the cards needs put on the same table. Mr. Bender commented the University and Foundation are not practicing free enterprise and this is not Russia. If the students had a chance to get out of the Foundation housing and live Downtown, Mr. Bender feels they would; but they are not allowed. This is a hardship on the students as well because he/she has to pay so much more than if they just lived downtown. Mr. Bender reported the new housing is more than twice what he charges. Parents have relayed to him that they would not send another one of their children to Clarion University because of the administrative practices. The University is losing students. From a taxation standpoint, Mr. Bender stressed everybody needs to be on an equal base and inquired why the Foundation should get special taxation when landlords have to pay? Mr. Bender doesn't come to Clarion to get rich but maintains his properties. The house on East Eighth Avenue is probably much nicer than most houses. Mr. Bender purchased the old newspaper building and is fixing it up in the right manner to save the building. Clarion is never going to be a slum district, as Dr. Sanders Dédé mentioned in the paper, as long as the laws are enforced and people are forced to maintain their properties and keep them orderly. If you look around Clarion, you see a lot of people walking up and down the street that were not here 5 years ago.

Dr. Sanders Dédé relayed she did not say that Clarion was a slum.

Mr. Bender commented the University should not force certain things, and it should be on an even field. It's a free country.

Dr. Sanders Dédé asked what Mr. Bender means by that comment?

Mr. Bender stated the students are required to stay on the campus for 2 years and asked for the reasoning?

Dr. Sanders Dédé reported studies show that students who remain on the campus stay in school longer and graduate; so it's for retention.

Mr. Bender feels studies show a lot, but retention is also dependent upon a good University president, good administration, and good programs.

Dr. Sanders Dédé commented the University has all those things.

Mr. Bender disagrees.

President Lapinto informed Mr. Bender he had 5 minutes and needs to wrap up his comments.

Mr. Bender stressed the University needs to straighten up their act.

Dr. Sanders Dédé pointed out Clarion Borough and Clarion County thrives because of Clarion University.

President Lapinto disagreed with Mr. Bender's comments on Clarion not having innovative people, because the Miles' are sitting right here with a great plan. Clarion Borough is doing everything possible to support them with their endeavor.

Mr. Bender supports them as well and added this is a good idea.

Mr. Aaron stated the discussion can stop, because this is turning into an attack on Clarion University and has nothing to do with Borough business.

President Lapinto reported that's right. The University is separate from the Borough.

Dr. Sanders Dédé offered to stay afterwards to discuss more issues with Mr. Bender.

Mr. Bender agreed to do that and added he also brought Wendy's, townhomes on Heidrick Street, and College Park Apartments to Clarion.

CORRESPONDENCE

Ms. LaVan read a thank you note from Nick Cherico for all the help Clarion Borough provided as he completed his Eagle Scout Project. Mr. Cherico learned so much from start to finish. It's very exciting to see all the citizens reading the panels now, and Mr. Cherico can't wait for ALF week to see the reactions.

On a motion by Mr. Aaron with a second by Mr. Zerfoss, the meeting was adjourned at 7:48 p.m.

Mark E. Hall, Borough Secretary