

MUNICIPALITY OF MONROEVILLE

REGULAR COUNCIL MEETING

FEBRUARY 14, 2023

MINUTES

The meeting was called to order at 7 p.m. by Mayor Nick Gresock.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance was recited and a moment of silence was observed.

ROLL CALL

The Recording Secretary, Sharon McIndoe, called roll and the following were present: Mayor Gresock, Joe Hyzy, Eric Poach, Bob Stevenson, Steve Wolfram, Mike Adams, Bob Williams, Dennis Biondo, Tim Little, Bob Wratcher, Josie Rock, Paul Hugus, Joe Sedlak and Paul Whealdon.

PUBLIC COMMENT ON PROPOSED AGENDA ITEMS ONLY

TONI WALKER

Ms. Toni Walker, a resident of Ward Four, came forward to express her concerns. She questioned how the ordinance concerning feeding animals will be enforced. She was hoping that it would not be enforced by the neighbors or the eye in the sky.

Mayor Gresock reported this is a comment period and all the questions will be answered at the end.

LOIS DRUMHELLER

Mrs. Lois Drumheller, resident, came forward with a follow up question that she needs an answer. She referred to Ordinance No. 2669 approved after Sustainable Monroeville in 2018 tried to impart some expert advice with a 12-page document submitted to council and planning commission concerning the location of oil and gas. She explained Ordinance No. 2669 put the oil and gas well operations where it should be as an industrial process. She suggested Ordinance 2669 will be moot because looking at the map oil and gas operations places compressor stations in M-2 but takes out all the other operations and puts it in LF which is a new zone to replace the conservancy zone that the landfill occupies. She indicated it looks like the landfill has expanded but she is uncertain because there are two dark colors that distinguish the districts. She reported the landfill looks like a huge district but oil and gas do not belong there. She stated the things she asked of Mr. Whealdon and the planning commission have been satisfied. She wanted to know who made the decision to make the changes.

Mayor Gresock stated this comment period is for agenda items and he pointed out the item on the agenda is a motion to authorize for the advertisement of a public hearing for the revised updated zoning ordinance. He suggested she could comment about the advertisement or make any other comment during the comment period at the end.

DAVID MINTZ

Mr. David Mintz, a resident, came forward to express his concerns. He referred to Item B (2) on the agenda and questioned what form the advertisement would be, whether it would be electronic or in a physical form. Mayor Gresock explained council is authorizing the advertisement for the public hearing. Mr. Mintz clarified that it is not to advertise the actual ordinance, usage table and map. Mayor Gresock asserted it would be advertised in the Post-Gazette for the date and time of the meeting and the hearing. Mr. Mintz questioned how long before the hearing would all the information be available to the public to peruse. Mr. Little answered once it hits the newspaper the public can get a copy of it. Mr. Mintz inquired whether it would be available electronically or physically. Mr. Little stated it would be on the website. Mayor Gresock explained the advertisement will be physical in the Post-Gazette and the actual ordinance will be on the website, electronically and at the library and the municipal building. Mr. Little asserted it can be reviewed at the municipal building or it is \$.25 per copy for 430 pages.

ELIZA BECK

Dr. Eliza Beck, a resident, came forward to question when the information will be public and Mayor Gresock answered when the advertisement is in the newspaper. Dr. Beck inquired how far in advance is the advertisement made before the public hearing and Mayor Gresock answered it is a minimum of 30 days. Further discussion ensued. Mayor Gresock reported the advertisement will be done in the next few days and the public hearing will be held on April 4. Dr. Beck commented that the municipality has been working on it and the public has at least 60 days to review it.

INTRODUCTION OF NEW EMPLOYEE

Mr. Little was proud to introduce a new employee, Ms. Tracy Sharpley, who will work in the finance department. He wanted all of council to be familiar with the new employee and he reviewed her background.

EXECUTIVE SESSION ANNOUNCEMENT

Council conducted an executive session before the Citizens' Night Meeting on February 7, 2023 from 6:15 to 7 p.m. for personnel and litigation reasons. Council legislative action, if any, shall be taken at this February 14, 2023 Regular Council Meeting.

APPROVAL OF MINUTES

Council considered approval of the minutes for the Citizens' Night Meeting of January 3, 2023, Council Work Session of January 3, 2023 and the Regular Council Meeting of January 10, 2023.

There being no questions, corrections or additions to the minutes, a motion was duly made by Mr. Poach to approve them, as submitted, and Mr. Stevenson seconded it. Upon a roll call vote, the motion carried unanimously.

REPORT OF TAX COLLECTIONS

Council considered the Report of Tax Collections. There being no discussion, a motion was duly made by Mr. Wolfram to approve the Report of Tax Collections and Mr. Stevenson seconded it. Upon a roll call vote, the motion carried unanimously.

LIST OF BILLS, BUDGET TRANSFERS AND PAYROLL

Council considered approval of the List of Bills in the amount of \$1,536,834.13, Budget Transfers and Payroll in the amount of \$1,220,518.45 for the month of January 2023.

There being no discussion, Mr. Wolfram duly made a motion to approve the list of bills and budget transfers and Mr. Biondo seconded it. Upon a roll call vote, the motion carried unanimously.

Further, a motion was duly made by Mr. Wolfram to approve the payroll and Mr. Adams seconded it. Upon a roll call vote, the motion carried unanimously.

VACANCIES ON BOARDS, COMMISSIONS AND AUTHORITIESRECREATION AND PARKS ADVISORY BOARD

Whereupon, Mr. Biondo duly made a motion to appoint Mr. Scott Gallagher from Ward Seven to the Recreation and Parks Advisory Board and Mr. Williams seconded it. Upon a voice vote, the motion carried unanimously.

PLANNING COMMISSION

Further, Mr. Biondo duly made a motion to appoint Ms. Purdis Lewis-Burke to the Planning Commission and Mr. Williams seconded it. Upon a voice vote, the motion carried unanimously.

CONVENTION VISITORS BUREAU

Furthermore, Mr. Biondo duly nominated Mr. Craig Cozza to the Convention and Visitor's Bureau and Mr. Poach seconded it.

FINANCE AUTHORITY

Whereupon, Mr. Biondo duly nominated Mr. Timothy Joyce to the Finance Authority.

Further, Mr. Wolfram duly nominated Ms. Amy Capcara to the Finance Authority.

RECREATION AND PARKS ADVISORY BOARD

Whereupon, Mr. Stevenson duly made a motion to appoint Mr. John Washington, Ward Three to the Recreation and Parks Advisory Board and Mr. Poach seconded it. Upon a voice vote, the motion carried unanimously.

CONSENT AGENDAOLD BUSINESSRESOLUTION 23-2SUBDIVISION 23-1-SUB
HEDFORS CONSOLIDATION

Applicant is requesting preliminary and final subdivision approval to consolidate Lot 642-E-315 and Lot 642-E-335 into one lot with a total acreage of 8.519 acres. The properties are located at 575 Thomas Street in the R-2, One Family Residential Zoning District.

The Planning Commission recommended approval.

There being no discussion, Mr. Stevenson duly made a motion to approve and Mr. Hyzy seconded it. Upon a roll call vote, the motion carried unanimously.

RESOLUTION 23-3

SITE PLAN 23-1-ST

GATEWAY SCHOOL DISTRICT

The applicant is requesting site plan approval to construct a hard surface for the school band to practice. Sidewalks and an above ground stormwater management pond are to be constructed as part of the project and the practice surface shall be a green design using permeable pavement. The property is located at 9000 Gateway Campus Boulevard and known as Tax Parcel 857-D-309 in the R-2, One-Family Residential.

The Planning Commission recommended approval.

Ms. Kristi Mitchell from JT Sauer and Associates came forward representing the applicant along with Mr. Jonathan Shaffer.

Ms. Mitchell referred to the project site which will be the paved band practice area. She reported the current condition is that it is a grass covered playing field and they are proposing to have a designated place for the band to practice other than an existing parking lot. She pointed out it would look like a football field with the access drive to the south and an ADA access sidewalk to get down to the field. She pointed out the storm pond on the lower half of the site and reported it was recommended by the zoning department to add the sidewalk around the outside of the property. She reported they had originally proposed the pervious pavement for the practice area but after review of the budget with the new added sidewalk the school district requested changing it to imperious pavement to offset those costs.

Mr. Williams inquired about the above ground storm stormwater management and how the water would run into a pond above ground. Mr. Shaffer explained the site is graded in a way that the water will flow directly from that parking lot right into the storm pond. Mr. Williams inquired whether it would be lower than the fill and Mr. Shaffer answered affirmatively. He briefly explained how the elevations show there is a lower elevation there for the water to flow into the pond. Ms. Mitchell explained there is a 16 feet difference in elevation to the field to the north and six feet to the west and the storm pond is lower. Mr. Williams questioned whether the fill would be trenched to cause the water to go down there or whether it would be normal runoff on the field. Mr. Shaffer answered it would be normal runoff.

Mr. Hyzy referred to the manhole located between the third and second baseline and inquired whether it would be raised and Mr. Shaffer answered affirmatively. Further discussion ensued about finding the location of the manhole.

Mr. Poach inquired whether they have the ADA compliant sidewalks on Gateway Campus Boulevard which is north of the field. He inquired about the other sidewalk proposed. Ms. Mitchell pointed out there will be sidewalks along the outside of the property. Mayor Gresock pointed out it would follow the roadway. Ms. Mitchell explained any pedestrian circulation can get from one end to

the other since there are no sidewalks currently. Mr. Poach questioned whether that complies with the sidewalk ordinance and Mr. Whealdon answered affirmatively. He added the question at planning commission was whether the applicant could phase in the sidewalk construction. He was uncertain whether phasing is still being proposed or whether it is being changed because they are using standard asphalt instead of the pervious. Ms. Mitchell reported after reviewing the different options that was the best request. Mr. Whealdon clarified it would just be constructed with no phasing.

Mayor Gresock reported the school district understands the importance of sidewalks in that area for the campus for the school, the nearby apartments and the library. He felt it makes sense to do it now.

Mr. Poach inquired whether the sidewalks connect to the library. Mr. Whealdon explained the sidewalk goes over to the library entrance road. Mr. Shaffer pointed out where it connects with the library. Further discussion ensued.

Mr. Williams inquired whether the sidewalk would be street level with a curb not painted on the street. Mr. Shaffer stated it will be a new sidewalk adjacent to the curb. Mr. Hyzy inquired whether it will be behind the guardrail or in front and Mr. Shaffer answered they are proposing it behind the guardrail.

Whereupon, Mr. Hyzy duly made a motion to approve Site Plan No. 23-1-ST and Mr. Poach seconded it. Upon a roll call vote, the motion carried unanimously.

MOTIONS

MOTION

A motion to place a full-page advertisement in the amount of \$125 in the program for the Gateway High School Musical "Mamma Mia!"

Whereupon, Mr. Poach duly made a motion to approve and Mr. Stevenson seconded it. Upon a roll call vote, the motion carried unanimously.

MOTION

A motion to authorize to advertise a public hearing for the revised/updated zoning ordinance.

Whereupon, Mr. Wolfram duly made a motion to approve and Mr. Stevenson seconded it. Upon a roll call vote, the motion carried unanimously.

MOTION

A motion to approve the property acquisition for the Tri-COG Land Bank for the property located on Willow Drive, Lot and Block No. 640-K-118.

There being no discussion, Mr. Hyzy duly made a motion to approve and Messers. Poach and Stevenson seconded it. Upon a roll call vote, the motion carried unanimously.

MOTION

A motion to enter into an agreement with Public Partners Consultants to conduct a municipal manager search.

Whereupon, Mr. Wolfram duly made a motion to approve and Mr. Williams seconded it. Upon a roll call vote, the motion carried unanimously.

MOTION

A motion to authorize to advertise an ordinance to permit the municipality to enter into a land lease with Pittsburgh SMSA Limited Partnership d/b/a Verizon Wireless pursuant to Section 501(h) of the Home Rule Charter for the lease of a 100 foot by 100-foot parcel of property and associated easements at the Monroeville Public Safety Training Center for the construction of a wireless communications tower and facility.

There being no discussion, Mr. Poach duly made a motion to approve and Mr. Stevenson seconded it. Mr. Adams inquired about the length of the lease and Mr. Wratcher answered it would be for periods of five years up to 25 to 30 years. Upon a roll call vote, the motion carried unanimously.

RESOLUTIONSRESOLUTION 23-4

A resolution adopting the Campbell Sewage Planning Module.

Whereupon, Mr. Stevenson duly made a motion to approve and Mr. Hyzy seconded it. Upon a roll call vote, the motion carried unanimously.

ORDINANCESORDINANCE

An ordinance of the Municipality of Monroeville, Allegheny County Pennsylvania, prohibiting the feeding of wild animals and providing penalties for the violation of such regulations.

Mr. Wratcher reported this matter has been tabled so council must remove it from the table to act on it.

Mayor Gresock recommended this item be tabled for further consideration.

No action was taken at this time.

Mr. Adams inquired whether it would be better to remove it from the agenda until further notice. It was the consensus to leave it tabled at this time.

REPORTS OF MUNICIPAL STAFFMUNICIPAL MANAGER'S REPORT

Mr. Little reported the municipality has again been named a Banner Community as appointed by the Allegheny League of Municipalities. He explained this is an annual citation the municipality receives from Allegheny League of Municipalities and he was hoping it would be in the newspaper soon.

PUBLIC COMMENTS ON ANY MUNICIPAL ITEMS

LOUIS DRUMHELLER

Mrs. Lois Drumheller, resident, came forward to question the proposed language in the zoning ordinance, the use table and map for the zoning ordinance. She reported when she asked the planning commission where the changes came from and whether or not they suggested any of those changes that would have resulted from the M-2 zone being the primary zone for oil and gas operations. She stated it was changed on the map as LF or landfill which is currently S Conservancy and the other conservancy district which is all of the green space. She explained as a conditional use someone could put part of an oil and well operation on the landfill under a conditional use or in all of the S, Conservancy spaces that is all of the green space. She felt it was very important whether the planning commission suggested the change. She reported no one on the planning commission made these suggestions. She inquired whether the change came from Mr. Whealdon. Mayor Gresock explained this is a comment period. He suggested she tell council what she wanted in the ordinance.

Mrs. Drumheller reported she sent the manager two emails inquiring about who introduced these changes that would take Ordinance No. 2669 where oil and gas operations are in M-2 or heavy industrial zones and put them in areas that are in the green spaces and landfill. She indicated the manager did not respond and the mayor did not respond. She inquired who made the changes that brought oil and gas operations out of the M-2 zone and put it into the LF and the conservancy zone. Mayor Gresock indicated he did not have the answer and explained this a comment period. He reported a public hearing will be held and there will be multiple meetings before this is approved. He encouraged public input on where it should be located. He agreed and wanted this to be done correctly but he did not know where it originated.

Mrs. Drumheller questioned whether the solicitor had an answer and Mr. Wratcher indicated he would not give an answer unless directed. He stated he did not recommend the change.

Mrs. Drummer suggested the mayor has had plenty of time to answer her question and she reported she asked her council member and the manager. She felt she has given them more than enough time to answer her question and she would wait for her answer.

Mayor Gresock indicated that her five-minutes comment period was over and requested that she sit down. He encouraged the next speaker and again asked her to sit down or an officer would escort her from the room.

Whereupon, Mr. Poach made a motion to close the public comment period. A few people in the room protested because they wanted to make comments.

Mrs. Drumheller stated in deference to the inability and unwillingness to be truthful she would defer. Mayor Gresock again stated that it is a comment period. Mrs. Drumheller felt the public is entitled to answers.

ELISA BECK

Dr. Elisa Beck, resident, came forward to inquire about the motion made to approve the application with permeable pavement. She questioned whether council voted on what was written in the agenda description. She also was curious about Public Partners Consultants. She pointed out the public has not been able to look at the proposed zoning ordinance but she was concerned about where 5G might be placed based on new changes to the zoning ordinance.

Dr. Beck referred to the terrible train accident that happened in Ohio with very volatile organic compounds that spilled and were burned off. She stated those trains are passing close to this area and she inquired about the emergency response if a similar incident occurred at the bottom of Haymaker Road.

DAVID MINTZ

Mr. David Mintz, resident, came forward to express his concerns. He was hopeful that the comment period provided on the agenda was inclusive of questions. Mayor Gresock explained it is a comment period not a question and answer period. Further discussion ensued.

Mr. Mintz inquired about the vote for the practice field for the band and pointed out it was different than the description on the agenda. He wanted to know if it was a procedural thing because what was voted on was different than what was on the agenda.

Mr. Mintz agreed strongly that the public is entitled to know why the changes were made to the zoning ordinance that was approved relegating the oil and gas activity to M-2 Heavy Industrial. He stated the proposed changes in the draft zoning ordinance changed that to M-2 Industrial but also as a conditional use in the new landfill zone or S-1, Conservancy. He explained according to the updated map it is a larger zone than the current zone that contains the landfill of S-1, Conservancy. He stated that all of the S, Conservancy green areas of Monroeville will be a conditional use area for the oil and gas. He pointed out it would change the law of the land, the ordinance that was approved by council to keep it M-2, Heavy Industrial to now include M-2, Heavy Industrial and LF Landfill and S, Conservancy. He felt that is a big change and he was uncertain where the changes came from. He commented on what he would like is that the municipality would keep the current ordinance as part of the new updated Monroeville Comprehensive Zoning Ordinance that the process of hydraulic fracturing is kept and all of its associated activities in M-2 Industrial. Again, he was uncertain who proposed it and he questioned why it was changed. He asserted it was discussed and council approved it and now it is proposed to be changed. He again stated no one knows where the suggested changes came from. He again inquired why it would be changed if it is located closer to homes, businesses, schools and everything else in Monroeville. He mentioned the pollution that comes with it and traffic activity. He was uncertain why the municipality would make such a drastic change that is already the law and requested that it not be done.

REPORTS OF COUNCIL MEMBERSFIRST WARD COUNCILMAN JOE HYZY

Mr. Hyzy wished his wife a Happy Valentine's Day.

SECOND WARD COUNCILMAN ERIC POACH

Mr. Poach wished his wife a Happy Valentine's Day.

Mr. Poach explained part of the municipality's membership in the League of Municipalities is the Public Partnership Consultants which is used to help conduct executive searches for senior leadership in municipal government posts. He reported Mr. Little is considering retiring and that is who the municipality has engaged to assist in a proper search for a municipal manager.

Mr. Little addressed the comments about why the oil and gas zoning ordinance was changed. He agreed Mrs. Drumheller asked him a question through email and he answered it but she does not like the answer. He reported he does not know who made the change but the questions should have been during the planning commission process. He suggested if she does not like what the planning commission passed on to council then she could ask them why it was changed. He pointed out it was asked of them and the answered was they did not know. He also stated it is planning commission's decision to pass on to council what they consider is the best thing for the community. He felt as a responsible citizen it is her responsibility to come to the hearing and to get her input on record. He suggested it is important to attend the public hearing and voice that opinion of being dissatisfied of where oil and gas process is permitted. He stated it is moot who put it in the ordinance but it is important that is what planning commission passed along to council. Again, he reported that was his answer to Mrs. Drumheller but she did not like it.

FOURTH WARD COUNCILMAN STEVE WOLFRAM

Mr. Wolfram wished everyone a Happy Valentine's Day.

FIFTH WARD COUNCILMAN MIKE ADAMS

Mr. Adams wished his wife a Happy Valentine's Day.

SIXTH WARD COUNCILMAN BOB WILLIAMS

Mr. Williams wished everyone a Happy Valentine's Day. He also reported the landfill has a double liner with sensors between the liners for leakage and if a leak is noticed, it has to be repaired. He felt there is no reason that anyone would be allowed to drill through the liner for any reason.

SEVENTH WARD COUNCILMAN DENNIS BIONDO

Mr. Biondo reported he also wanted to ask Strategic Solutions why that is taken out of M-2 Industrial. He wished his wife Happy Valentine's Day and Happy Third Birthday to his kids, Geo and Addie.

MAYOR NICK GRESOCK

Mayor Gresock agreed these are the kinds of things that should be addressed at the public hearing and currently there are no changes. He reported the advertisement will go into the newspaper shortly and the public hearing will tentatively take place at the April meeting or later. He suggested a lot of time and effort has been put towards this ordinance. He stated it is an important document for the municipality and has not been updated in many years. He wanted to make sure it would be done properly with the help of the public.

Mayor Gresock referred to the vote on the application for the school district for the practice field. He explained council votes on the plan that is submitted even if the language is slightly different. He also wished his wife a Happy Valentine's Day.

ADJOURNMENT

There being no further business to come before council, at this time, Mr. Wolfram duly made a motion to adjourn the meeting at 7:54 p.m. and Mr. Hyzy seconded it. Upon a voice vote, the motion carried.

Respectfully submitted,

Timothy J. Little
Municipal Manager

TJL/sam