MINUTES OF THE JANUARY 25, 2010
ADJOURNED MEETING OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 p.m., on Monday, January 25, 2010, at the Municipal Building, 710 Washington Road. Vice President Miller called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager Stephen M. Feller called the roll. Present were Commissioners Dave Brumfield, Joe DeIuliis, Matt Kluck, and Dan Miller. Commissioner D. Raja was not present. Also present were Assistant Manager Taylor, Chief of Police McDonough, Inspections Officer Berkley, Recreation Director Donnellan, Commercial Districts Manager Milliron, Planning Officer McGill, Public Works Director Kelley, Fire Chief Sohyda, and Public Information Officer Morgans. Also present were Dan Deiseroth of the engineer's office and Jim Roberts of the solicitor's office.

Mr. Miller opened the meeting asking for a moment of silence in memory of R. Dale Colby. Mr. Miller spoke about Dale, stating that he was affiliated with many groups in Mt. Lebanon, and he championed many causes. Mr. DeIuliis, Mr. Brumfield and Mr. Kluck all agreed that Dale Colby will be missed.

Mr. Miller indicated that item 10 on the agenda regarding bids for the Washington Road Streetscape Sign Project was being deferred until the next meeting.

RECOGNITION OF FIREFIGHTER

Mr. Miller stated that the Firefighter of the Year is awarded annually to a volunteer firefighter who has demonstrated outstanding service to the Mt. Lebanon Fire Department. This year's firefighter of the year was nominated by his peers for over 31 years of dedicated service to the Mt. Lebanon Fire Department; for his knowledge and competence and his progression within the volunteer ranks, holding the positions of volunteer operator and master firefighter, for his certifications as a hazardous materials technician, a vehicle and core rescue technician, a fire fighter II, and a pumper driver/operator, for serving as a past president of the volunteer fire company on at least two occasions; and his eagerness to help members of the department and the fire service serving as a fire service instructor and reaching the status of instructor emeritus with the Pennsylvania State Fire Academy.

Mr. Miller recognized George Galbraith as the Volunteer Firefighter of the Year, and he presented Mr. Galbraith with a certificate of appreciation.

APPOINTMENT OF REPRESENTATIVES TO INTERGOVERNMENTAL ORGANIZATIONS

Mr. Miller announced the following appointments:

South Hills Area of Council of Governments
Representative: Joe DeIuliis
Alternate: D. Raja

Allegheny League of Municipalities
Representative: Dan Miller

Outreach Board
Representative: John Daley

Mt. Lebanon Partnership CDC
Board Member: Joe DeIuliis
Board Member: D. Raja

CONNECT
Representative: D. Raja
Representative: Matt Kluck

3 Rivers Wet Weather Elected Officials
Representative: Matt Kluck

CITIZEN COMMENTS

Dave Egler of 121 Poplar Drive spoke against privatizing the fleet maintenance function. He also spoke about signage at the schools, the budget and the millage rate.

Egon Klatt of 280 Parkway Drive spoke about the commission meetings and school board meetings occurring on the same days. He also spoke about the parking meters on Washington Road.

CONSIDERATION OF THE MINUTES FROM THE REGULAR MEETING HELD JANUARY 11, 2010

Mr. Brumfield moved and Mr. Kluck seconded to approve the minutes. The vote was called. The motion carried unanimously.

PUBLIC HEARING ON ORDINANCE (BILL NO. 01-10) AN ORDINANCE OF MT. LEBANON AMENDING CHAPTER XX (ZONING), OF THE MT. LEBANON CODE, PART 3 (COMMERCIAL DISTRICTS), SECTION 304 (CBD COMMERCIAL DISTRICT), PART 8 (REQUIREMENTS APPLYING TO ALL DISTRICTS), SECTION 817 (OFF STREET PARKING), AND PART 14 (DEFINITIONS), SECTION 1402 TO ADD A DEFINITION OF "VEGETATED ROOF," AND CORRECTS THE NUMBERING THROUGHOUT

Mr. DeIuliis said an ordinance proposed by the Mt. Lebanon Planning Board amending Chapter XX (Zoning) of the Mt. Lebanon Code, Part 3 (Commercial Districts). These amendments to the Municipality's existing regulations in the Central Business District remove single-family attached dwellings as a use by Right in the Central Business District; provide incentives for the use of a "vegetated roof,"; delete certain area and bulk regulations relating to residential uses in the CBD district; amend other area and bulk regulations relating to both residential and non-residential uses and conditional uses in the CBD district, including lot coverage and yard

regulations; and correct the numbering throughout. The amendments also add a shared parking provision regarding the CBD district and exempt the first 2,500 square feet of new construction from providing required vehicular parking for certain uses in the CBD district. The amendment also adds a definition of "vegetated roof" to the definitions section.

On December 15, 2009 the Mt. Lebanon Planning Board recommended the changes reflected in the proposed Ordinance. This ordinance was introduced January 11, 2010.

Mr. Miller opened the public hearing.

Keith McGill, Municipal Planner, stated this ordinance was prepared during the past year by the planning board at the request of the commission. He reviewed the ordinance and how the changes would affect the business district. He said the Planning Board met with Trans Associates and the Parking Authority to solicit their input, especially concerning the issues related to minimum parking requirements.

Mr. Miller asked if he had any concerns that a provision in the new Ordinance would change the characteristic of a neighborhood. Mr. McGill said no.

William Pope, vice chairperson of the Planning Board, described the changes with this ordinance and how they would affect the community. He added that the ordinance was unanimously supported by the Planning Board.

Because there were no further comments, Mr. Miller declared the public hearing closed.

INTRODUCTION OF ORDINANCE (BILL NO. 2-10)
AMENDING THE MT. LEBANON CODE TO INCLUDE
NEWLY ENACTED ORDINANCES OR AMENDMENTS
TO EXISTING ORDINANCES ENACTED SINCE JANUARY 26, 2009

Mr. Kluck said Mt. Lebanon's ordinances were codified in 1978 with updates occurring periodically since that time. All of the ordinances contained in the code have been enacted previously by the Commission, but it is necessary to enact a separate ordinance each time the codification is updated.

Ordinance (Bill No. 2-09) was introduced, and the public hearing was set for Monday, February 8, 2010.

INTRODUCTION OF AN ORDINANCE (BILL NO. 3-10)
AMENDING THE 2010 BUDGET TO AUTHORIZE
USE OF GENERAL FUND MONIES FOR REVISED PURPOSES

Mr. Brumfield said the Commission is considering amending the 2010 Budget.

Ordinance (Bill No. 3-10) was introduced, and the public hearing was set for February 8, 2010.

CONSIDERATION OF MOTION TO AUTHORIZE THE MANAGER AND SOLICITOR TO SETTLE A ZONING APPEAL FILED BY TERENCE SYZMANSKI (COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, NO. SA 09-559)

Mr. Kluck said in December, 2008, Mr. Syzmanski filed an appeal to the Zoning Hearing Board and a variance request relating to the installation of a parking area on property located in Mt. Lebanon. The Zoning Hearing Board denied the appeal and variance and Mr. Syzmanski appealed to the Court of Common Pleas. The Municipality and Mr. Syzmanski have settled the appeal pursuant to a proposed Consent Order and Settlement Agreement pursuant to which Mr. Syzmanski will remove major portions of the paved area and substitute trees and shrubs, all according to a schedule set out in the Consent Order.

Mr. Kluck moved and Mr. Brumfield seconded to authorize the Solicitor to execute the Consent Order of Court and the Manager to execute the Settlement Agreement and Mutual Release. The vote was called. The motion carried unanimously.

CONSIDERATION TO ESTABLISH AN AD HOC VETERANS' MEMORIAL DEVELOPMENT COMMITTEE

Mr. Kluck said on July 14, 2008, the Commission appointed a seven-member committee to make recommendations concerning recognition of Mt. Lebanon veterans.

On December 14, 2009, the Ad Hoc Veterans' Recognition Committee completed its work by announcing the selection of the design submitted by Loysen & Kreuthmeier as the winner of the design competition of the proposed Veterans' Memorial. The Committee was of the unanimous belief that this design fulfills the stated goal of "a simple, elegant, modern memorial" of sufficient scale and size to be clearly memorable. The Committee further recommended that a new development committee be established to begin raising funds for this effort.

On January 11, 2010, the Commission approved the recommendations of the committee. The Commission would now like to establish the Ad Hoc Development Committee.

Under the Administrative Code, the Commission may establish an ad-hoc committee to study specific purpose with a finite term of up to one year. The committee will be charged with organizing effort to raise funds and increase awareness of the proposed Veterans' Memorial. The committee will include seven members.

Mr. Kluck moved and Mr. Brumfield seconded to establish an Ad Hoc Veterans' Development Committee with a term ending January 31, 2011. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

Mr. Brumfield asked that the reports be received and filed.

MANAGER ANNOUNCEMENTS

Mr. Feller stated that prior to this meeting, the Commission met in executive session to discuss pending litigation involving a zoning issue on Castle Shannon Boulevard, a police retiree COLA adjustment matter, a zoning hearing board appeal, and litigation dealing with the police department. Legal advice was also discussed regarding an insurance claim issue. Following tonight's meeting, the Commission will return to executive session to meet with the solicitor regarding a matter dealing with an insurance claim. There will be a regular meeting on Monday, February 8, 2010, at 8 p.m.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.