

**MINUTES OF THE ADJOURNED MEETING NOVEMBER 26, 2012  
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 P.M., on Monday, November 26, 2012, at the Municipal Building, 710 Washington Road. President Brumfield 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 John Bendel, Kelly Fraasch, Matt Kluck, Kristen Linfante, and Dave Brumfield. Also present were Police Chief McDonough, Recreation Director Donnellan, Fire Chief Sohyda, Public Works Director Kelley, Planning Officer McGill, Commercial District Officer Milliron, and Inspections Officer Berkley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

Mr. Brumfield apologized for not recognizing Veterans Day at the last commission meeting.

**CITIZEN COMMENTS**

Kimberly Schevtchuk of 519 Lyndhurst Avenue spoke about the proposed deer survey.

Elaine Gillen of 735 Vallevista Avenue stated that she shopped at the Mt. Lebanon stores on Saturday to support Shop Small Business Day. She also spoke about the joint maintenance agreement.

Bill Lewis of 816 Ridgeview Drive spoke about the joint maintenance agreement. He also spoke about the proposed project at the Castle Shannon light rail station, stating that if it goes forward, the parking lot will be lost, which will affect mainly Mt. Lebanon residents, who park in this lot and ride the transit system into town.

Walt Henry of 719 N. Meadowcroft Avenue indicated that he was the president of Indoor Tennis. This organization has pledged \$20,000 towards the sidewalk expansion project at the tennis center.

**REPORT BY JUNIOR COMMISSIONER MADDY SCOTT**

Junior Commissioner Maddy Scott was not able to attend the meeting.

**CONSIDERATION OF THE MINUTES FROM  
THE REGULAR MEETING HELD NOVEMBER 13, 2012**

Mr. Bendel moved and Ms. Linfante seconded to approve the minutes as amended. The vote was called. The motion passed unanimously.

**PUBLIC HEARING AND CONSIDERATION OF  
ORDINANCE (BILL NO. 15-12) AMENDING  
CHAPTER XX (ZONING) REGARDING PROGRAMMABLE ELECTRONIC SIGNS**

Mr. Kluck said Ordinance (Bill No. 15-12) amends Chapter XX (Zoning) of the Code. The Ordinance allows programmable electronic signs in residential zones as an accessory use to places of worship, public and other similar uses. The ordinance also imposes restrictions relating to size, lighting, time, set back, message time, and flashing/blinking. The ordinance was introduced November 13, 2012.

Mr. Brumfield declared the public hearing opened.

Keith McGill stated that the planning board reviewed and recommended the proposed ordinance. He said that it was developed because several facilities have requested electronic signs, and several other zoning variances have been granted. He spoke about the size of the signs and the timing and wording of the displays.

Kimberly Schevtchuk of 519 Lyndhurst Avenue inquired about deer crossing signs with flashers.

Steve Gerson of 517 Milbeth Drive stated that his company created the electronic signs at some of the Mt. Lebanon establishments, and he thought the proposed ordinance was overly restrictive regarding the time that it is on, and the required length of time the messages run (dwell time).

Clifford Tuttle of 27 Hazel Drive stated that he is a member of St. Bernard Council, and they were denied an electronic sign for the church by the zoning hearing board. The issue has been appealed to the court. He inquired about the signs being two-sided, and Mr. Weis stated that two-sided signs are permitted. He had concerns with the 45-second dwell time of the signs. He also asked for a clarification on Section 8.23.33.32, which he found to be difficult to understand.

Bill Lewis of 816 Ridgeview Drive spoke about the electronic sign at the library.

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

Mr. Kluck moved and Ms. Fraasch seconded to enact Ordinance (Bill No. 15-12). The vote was called. The motion carried unanimously.

**PUBLIC HEARING AND CONSIDERATION OF  
ORDINANCE (BILL NO. 20-12) ESTABLISHING A SPORTS ADVISORY BOARD**

Ms. Linfante said the proposed advisory board will:

- Review and assess all sports-related facilities and services in Mt. Lebanon. Recommend possible changes and improvements to sports-related facilities and services.
- Assist in the continued safe provision of athletic opportunities to Mt. Lebanon residents.
- Receive and consider public comment and other public input regarding sports facilities and services.

- Support, promote and/or provide programs and services to assist athletes and coaches in Mt. Lebanon.

Membership of the board will consist of staff from the municipality and school district, a representative from any sports organization recognized by the municipality, a representative from the parks board and a commission liaison. The school district will also provide a liaison and may request participation by other staff or groups. This ordinance was introduced November 13, 2012.

Mr. Brumfield declared the public hearing opened.

Elaine Gillen of 735 Vallevista Avenue didn't agree with the creation of this board.

Walt Henry of 719 N. Meadowcroft Avenue stated that Indoor Tennis would like to participate on this new board.

David Huston of 505 Sleepy Hollow Road didn't agree with the school district being part of this board. He also didn't support non-Mt. Lebanon residents participating on any board.

James Cannon of 1306 Craigview Drive inquired about the amendments that Commissioner Fraasch wanted to propose. Ms. Fraasch stated that she asked for two at large positions who aren't affiliated with a sports team. She said she also proposed that John Bendel be the commission liaison. Mr. Cannon said some people had concerns with the composition of the board because it looked like a stacked deck without the addition of the at large members.

Because there weren't any further comments, Mr. Brumfield declared the public hearing closed.

Ms. Linfante moved and Mr. Bendel seconded to enact Ordinance (Bill No. 20-12).

Ms. Fraasch stated that she wanted to amend the ordinance. Ms. Fraasch moved and Mr. Kluck seconded to amend Ordinance (Bill No. 20-12) to include two at large members and have John Bendel as the initial commission liaison. The vote was called. The motion passed unanimously.

Mr. Kluck stated that the municipality already has a board with seven members on it that consists of school and municipal members, which is the Environmental Sustainability Board (ESB). He wanted this board to have a composition similar to the ESB. Mr. Brumfield said there would be at least 11 sports people on this board with an additional two at large members. Mr. Kluck had concerns with the effectiveness of a larger board.

Mr. Kluck moved and Ms. Fraasch seconded to amend the ordinance to have the board set up with three municipal appointees, three school board appointees, and a final position to be appointed by the other six members.

Ms. Fraasch asked how the Economic Development Council (EDC) handles its membership. Mr. Feller indicated that any voting member of the EDC is appointed by the commission. However, there are additional non-voting members that represent other boards and organizations.

Mr. Brumfield stated that he didn't agree with including only certain members of the sporting organizations and not everyone. He said the people who are most active in this area should be the ones on the board.

Mr. Bendel agreed that all sporting members should be represented, though he had concerns with a larger board, stating that it is more difficult to manage, but he still supported representation from all sporting venues. He believed that a maximum number should be set.

Ms. Linfante said it wouldn't be fair to exclude any one sporting entity. She added that the ESB has a team of people who were not appointed by the commission, who work closely with the board.

The vote was called. Mr. Kluck voted in favor of the motion. Mr. Bendel, Ms. Fraasch, Ms. Linfante and Mr. Brumfield voted against the amendment. The vote failed one to four.

Mr. Bendel moved and Mr. Kluck seconded to amend the ordinance by adding language to permit up to 11 members who are drawn from recognized sporting associations and/or the parks advisory board, plus two at large members, for a total of not more than 13 members. Ms. Fraasch added that the at large members should not be from a sports organization. The vote was called. The motion carried unanimously.

A vote was then called on the ordinance as amended. The vote passed unanimously.

**PUBLIC HEARING AND CONSIDERATION OF ORDINANCE (BILL NO. 21-12)  
AMENDING THE 2012 BUDGET FOR A GUARANTEED ENERGY SAVINGS  
CONTRACT AND RELATED FUNDING AND CAPITAL IMPROVEMENTS**

Ms. Fraasch said on July 10, 2012, the Commission approved a bond issue to fund certain capital improvements under a Guaranteed Energy Savings Contract. The improvements include municipal-wide high efficiency lighting; Public Safety Center controls and retro-commissioning/balancing; Recreation Center HVAC upgrades, retro-commissioning, control systems and new wall; street lighting on Washington Road (municipal fixtures); and the costs of issuance. The project costs totaled \$2,500,000. The ordinance was introduced November 13, 2012. This ordinance was introduced November 13, 2012.

Mr. Brumfield declared the public hearing opened.

Bill Lewis of 816 Ridgeview Drive questioned the order in which this ordinance was proposed.

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

Ms. Fraasch moved and Mr. Kluck seconded to enact Ordinance (Bill No. 21-12). The vote was called. The motion carried unanimously.

**INTRODUCTION OF ORDINANCE (BILL NO. 18-12)**  
**ESTABLISHING COMPENSATION FOR EMPLOYEES FOR 2013**

Mr. Bendel said this ordinance establishes the pay rates and levels for employees, including those covered by collective bargaining for 2013. It also sets hours of work and overtime, longevity and fringe benefits.

Ordinance (Bill No. 18-12) was introduced.

**CONSIDERATION OF BIDS FOR THE**  
**MT. LEBANON TENNIS COURT SIDEWALK EXPANSION**

Mr. Kluck said bids were received on November 14, 2012. This project includes all items associated with the installation of two new sidewalks at the Mt. Lebanon Tennis Courts including clearing of the site, grading, installation of concrete sidewalks and restoration of the site. The Municipal Engineer has verified the bids as follows:

	<b>Excaliber Construction</b>	<b>Gregori Construction</b>	<b>Dennis Fleeher</b>	<b>Kishmo</b>
Base Bid 1 – Sidewalk to Court 13 to 15	\$ 29,300.00	\$ 32,750.00	\$ 43,752.00	\$ 58,684.00
Base Bid 2 – Sidewalk to Practice Court	\$ 12,200.00	\$ 10,330.00	\$ 18,868.00	\$ 19,956.00
Reduction if both base bids awarded	\$ -1,980.00	5%	3%	12%
Total of Base Bids *Not Alternate 1	\$ 39,520.00	\$ 40,926.00	\$ 60,741.40	\$ 69,203.20
Add Alternate Bid 1 - Slab Replacement at Practice Court	\$ 6,480.00	\$ 5,400.00	\$ 7,200.00	\$ 3,600.00
Totals with reduction	\$ 46,000.00	\$ 46,326.00	\$ 67,941.40	\$ 72,803.20

The Municipal Engineer recommends that both the base bid 1 and 2, and add alternate bid 1 be awarded to the low bidder. The Engineer's estimate for the project was \$68,000. The budgeted amount is \$90,000.

Mr. Kluck moved and Ms. Fraasch seconded to award the tennis court sidewalk expansion bid to Excaliber Construction in the amount \$46,000. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE**  
**LIST FOR OCTOBER TOTALING \$4,352,415**

Ms. Linfante moved and Mr. Bendel seconded to authorize the expenditure list for October totaling \$4,352,415. The vote was called. The motion carried unanimously.

**DEPARTMENTAL REPORTS**

Ms. Fraasch asked that the reports be received and filed.

**MANAGER ANNOUNCEMENTS**

Mr. Feller said that prior to tonight's meeting, the Commission met in executive session with the solicitor to discuss salary and performance evaluation, appointments to boards and authorities, and other legal issues with the solicitor. The next regular meeting will be held on Tuesday, December 11, 2012, at 8 p.m. There will be no adjourned meeting in December. There will be a combined organizational and regular meeting held Monday, January 7, 2013. He stated that according to the Home Rule Charter, January 7 would be the organizational meeting, and January 8 the first regular meeting, so the two will be combined.

**ADJOURNMENT**

The meeting adjourned at 9:41 p.m.