

**MINUTES OF THE REGULAR MEETING DECEMBER 9, 2014
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting that began at 8 p.m., on Tuesday, December 9, 2014, at the Municipal Building, 710 Washington Road. President Kristen Linfante 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, Dave Brumfield, Kelly Fraasch, Steve Silverman and Kristen Linfante. Also present were Finance Director Andrew McCreery, Recreation Director Donnellan, Police Chief McDonough, Fire Chief Sohyda, Public Works Director Kelley, Inspections Officer Berkley, Planning Officer McGill, Business District Manager Milliron, and Managing Editor Jantz. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

MANAGER'S ANNOUNCEMENTS

Mr. Feller said that prior to tonight's meeting and a brief time during the discussion session meeting, the Commission met in executive session and discussed a personnel matter, a board and authority appointment and several legal issues with the solicitor. After tonight's meeting, the commission will go back into discussion session to discuss deer management. The next meeting of the commission is the organizational meeting scheduled for Monday, January 5, 2015, at 8 p.m.

Mr. Feller also stated that it is with heavy heart that he reports the passing of 53-year-old public works employee Darryl Hays and also the passing of 102-year-old library volunteer Bernie Queneau.

Mr. Feller recognized Director Andrew McCreery and the Finance Department for the 38th consecutive year the municipality has received the Certificate of Achievement for Excellence in Financial Reporting Program award from the Government Finance Officers Association (GFOA) for the Comprehensive Annual Financial Report (CAFR).

**REP. DAN MILLER, 42ND LEGISLATIVE
DISTRICT RECOGNITION OF VOLUNTEERS**

State Representative Miller recognized several Mt. Lebanon residents who have volunteered their services to help with programs sponsored by his office.

JUNIOR COMMISSIONER COMMENTS

Nikola Ranick spoke about the holiday show and various projects each student council class is sponsoring. He also thanked the commission for granting him the opportunity to be junior commissioner. Ms. Linfante presented Mr. Ranick with a gift of appreciation for his service to the community.

CITIZEN COMMENTS

Bill Matthews of 1435 Navahoe Drive spoke against granting Zamagias another agreement extension, stating that the municipality should buy back the property. He also encouraged the commission to require Zamagias to repay the tax increment financing loan.

William Lewis of 816 Ridgeview Drive spoke about the alteration of the stadium field house at the high school. He believes that the alterations violate provisions in Mt. Lebanon's codes. He also spoke about the Zamagias property. He asked that the municipality consider buying back the property and then find another developer with more experience.

Elaine Gillen of 735 Vallevista Avenue stated that field usage fees and signage fees were not listed in the comprehensive fee schedule. Mr. Feller indicated that the resolution was amended before the meeting, and the current fee schedule does include the fees. Mr. Donnellan explained the fee structure for field use is expected to generate about \$12,000 annually for future turf replacement.

Dave Egler of 121 Poplar Drive spoke in support of deer management. He also commended the finance department for receiving the GFOA award for 38 consecutive years. He also spoke in support of granting the conditional use for the historical society and buying back the Zamagias property.

Father Dave Bonnar, Pastor of St. Bernard's Parish at 311 Washington Road, spoke about the potential for the Zamagias property, which is across the street from the parish.

John Franz of 665 Osage Road referenced an article on Lyme disease and how it spreads, and he encouraged the commission to implement deer management practices.

Barbara Logan of 838 Valleyview Drive stated that a dog in her neighborhood has Lyme disease, and one of her neighbors found a tick on his arm. She spoke in support of deer management.

John Crist of 815 Country Club Drive spoke in support of the beekeeper ordinance. He also asked for a clarification as to where the structures could be placed.

Marilyn Narey of 256 Baywood Avenue spoke in support of effective deer management, stating a petition was submitted with over 1,400 signatures of people supporting deer management.

Nick Meduho of 101 Castle Shannon Boulevard inquired about right to know requests.

Cathy Traut of 468 Thornycroft Avenue stated that the park area near her house by the golf course is used by people. She expressed concern for the safety of people walking through the woods if the area is used for archery hunting.

Barbara Sollenberger of 120 Newburn Drive expressed concerns about the archery program. She also spoke in support of deer sterilization.

**CONSIDERATION OF THE MINUTES
FROM THE ADJOURNED MEETING HELD NOVEMBER 24, 2014**

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

**PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
(BILL NO. 18-14) CONCERNING THE MUNICIPALITY'S 2015 BUDGET**

Mr. Bendel said the Commission held work sessions to review the budget on November 3, November 4, and November 13. A public hearing was held November 11 to comment on the Manager's 2015 recommended budget. A second public hearing is being held tonight regarding the Commission's proposed revisions to the manager's recommended budget. The amendments are listed below:

**Minutes of the December 9, 2014 Regular Meeting
of the Mt. Lebanon Commission**

Amendments to the 2015 Manager's Recommended Budget										
Department	Decision Unit	Item	Level	Funding Source						
				General Fund	State Hwy Aid Fund	Sewage Fund	Storm Water Fund	Capital Proj. Fund	Total Gov't Funds	Parking Fund
Initial Revenue Budgets				\$ 32,074,630	\$ 662,000	\$ 6,726,690	\$ 482,950	\$ 7,152,330	\$ 47,098,600	\$ 1,848,250
Taxes	n/a	Earned Income Tax	-	200,000	-	-	-	-	200,000	-
Taxes	n/a	Real Estate Transfer Tax	-	(50,000)	-	-	-	-	(50,000)	-
Intergovernmental	n/a	CITF Grant for Beverly Road Streetscape	-	75,000	-	-	-	-	75,000	-
Intergovernmental	n/a	Beverly/Cochran Signal Project Grant	-	-	-	-	-	250,000	250,000	-
Intergovernmental	n/a	ARLE Grant for Washington Road	-	-	-	-	-	65,100	65,100	-
Intergovernmental	n/a	Increase in Liquid Fuels Tax Estimate	-	-	40,000	-	-	-	40,000	-
Other Revenue	n/a	Purchase Card Rebate Program	-	10,000	-	-	-	-	10,000	-
Parking	n/a	Increase Transient Fees	-	-	-	-	-	-	-	20,000
Parking	n/a	Decrease Fine Revenue	-	-	-	-	-	-	-	(20,000)
Operating Transfers	n/a	Transfer from Other Funds	-	-	-	-	-	3,019,830	3,019,830	-
Fund Balance	n/a	Use of Fund Balance	-	1,625,580	-	1,816,000	(95,950)	2,260,390	5,606,020	(20,000)
Amended Revenue Budgets				\$ 33,935,210	\$ 702,000	\$ 8,542,690	\$ 387,000	\$ 12,747,650	\$ 56,314,550	\$ 1,828,250
Initial Expenditure Budgets				\$ 32,074,630	\$ 662,000	\$ 6,726,690	\$ 482,950	\$ 7,152,330	\$ 47,098,600	\$ 1,848,250
2015 Budget Amendments										
General Government	General Management	Item	4/5	11,210	-	-	-	-	11,210	-
General Government	Tax Collection	Earned Income Tax Contractual Fee	-	3,600	-	-	-	-	3,600	-
Community Devel.	Economic Development	Uptown Revitalization Project	2/3	14,090	-	-	-	-	14,090	-
Community Devel.	Economic Development	PCN Video	3/3	2,000	-	-	-	-	2,000	-
Public Works	Ice & Snow Control	Increase in Liquid Fuels Tax Estimate	-	(40,000)	40,000	-	-	-	-	-
Public Works	Refuse Collection	Business Dist. & Special Event Recycling	4/6	10,000	-	-	-	-	10,000	-
Public Works	Municipal Building	Broadcast Equipment - Remove Amplification and Speakers	4/7	(4,700)	-	-	-	-	(4,700)	-
Public Works	Public Safety Center	Building Security - Install 5 Cameras	4/5	8,000	-	-	-	-	8,000	-
Public Works	Administration	Parks, Buildings and Grounds Administrator - Delay hiring until May 1	3/5	(29,900)	-	-	-	-	(29,900)	-
Public Works	Planting Areas	Redesign of High Visibility Planting Beds	3/8	18,000	-	-	-	-	18,000	-
Public Works	Traffic Signs and Painting	Neighborhood Signs	5/5	5,000	-	-	-	-	5,000	-
Human Services	Community Organizations	Mt. Lebanon Historical Society	2/6	5,000	-	-	-	-	5,000	-
Human Services	Community Organizations	Mt. Lebanon Partnership	3/6	5,000	-	-	-	-	5,000	-
Human Services	Community Organizations	Mt. Lebanon Village	4/6	5,000	-	-	-	-	5,000	-
Recreation	Golf Course	Clubhouse Painting	5/6	9,500	-	-	-	-	9,500	-
Recreation	Tennis Center	Building Painting	2/3	9,000	-	-	-	-	9,000	-
Recreation	Community Center	Entrance Doors Replaced	3/4	24,100	-	-	-	-	24,100	-
Public Safety	Police Field Services	Tasers - 7 Replacements in 2015	-	6,600	-	-	-	-	6,600	-
Public Works	Capital Improvements	Public Works Building Generator	25/34	28,500	-	-	-	-	28,500	-
Public Works	Capital Improvements	Municipal Building Façade	15/34	-	-	-	-	120,000	120,000	-
Public Works	Capital Improvements	Storm Water Management	3/34	-	-	-	-	(117,000)	(117,000)	-
Parking	Parking Services	Decrease in credit card fees	-	-	-	-	-	-	-	(20,000)
Operating Transfers	n/a	Transfer to Capital Projects Fund	-	70,000	-	-	(117,000)	-	(47,000)	-
Subtotal: Budget Amendments				160,000	40,000	-	(117,000)	3,000	86,000	(20,000)
2014 Carryovers to 2015 Budget										
General Government	General Management	Healthcare consultant	-	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ -
Community Devel.	Economic Development	Beverly Road Streetscape	-	178,500	-	-	-	-	178,500	-
Community Devel.	Economic Development	Brochures	-	1,000	-	-	-	-	1,000	-
Community Devel.	Planning	HARB Ordinance Consultant	-	25,000	-	-	-	-	25,000	-
Public Works	Traffic Planning and Signals	Traffic Calming	-	25,000	-	-	-	-	25,000	-
Public Works	Parks Maintenance	Deer Management	-	75,400	-	-	-	-	75,400	-
Public Works	Parks Maintenance	Invasive Species Enhancement	-	40,000	-	-	-	-	40,000	-
Public Works	Parks Maintenance	Bird park and Twin Hills Trail Signs	-	3,500	-	-	-	-	3,500	-
Public Safety	Animal Control	Animal Control Truck	-	29,500	-	-	-	-	29,500	-
Finance	Capital Improvements	Financial Software Upgrade	-	10,900	-	-	-	-	10,900	-
Public Works	Capital Improvements	Robb Hollow Park Improvements	-	57,000	-	-	-	-	57,000	-
Public Works	Capital Improvements	Public Safety Center Façade Improvements	-	-	-	-	-	200,000	200,000	-
Public Works	Capital Improvements	Private Street Contribution	-	-	-	-	-	68,000	68,000	-
Public Works	Capital Improvements	Traffic Pedestrian Upgrades	-	-	-	-	-	107,650	107,650	-
Public Works	Capital Improvements	Beverly/Cochran Road Signal Project	-	-	-	-	-	250,000	250,000	-
Public Works	Capital Improvements	Bower Hill/Segar Road Signal Project	-	-	-	-	-	55,000	55,000	-
Public Works	Capital Improvements	Security System Upgrade	-	-	-	-	-	174,090	174,090	-
Public Works	Capital Improvements	Street Reconstruction	-	-	-	-	-	148,100	148,100	-
Public Works	Capital Improvements	Altoona/Mapleton/Marlin Sewer Project	-	-	-	-	-	2,471,000	2,471,000	-
Public Works	Capital Improvements	Longuevue Storm Sewer Project	-	-	-	-	-	737,810	737,810	-
Public Works	Capital Improvements	Lindendale Wall Project	-	-	-	-	-	107,500	107,500	-
Public Works	Capital Improvements	Washington Road Crosswalk Upgrades	-	-	-	-	-	91,200	91,200	-
Public Works	Capital Improvements	Sidewalk Improvements	-	-	-	-	-	122,880	122,880	-
Public Works	Capital Improvements	School Safety Zone Signage	-	-	-	-	-	35,000	35,000	-
Recreation	Capital Improvements	Pool & Bath House Renovation	-	-	-	-	-	85,990	85,990	-
Recreation	Capital Improvements	Wildcat/Middle Field Turf Project	-	-	-	-	-	938,100	938,100	-
Operating Transfers	n/a	Transfer to Capital Projects Fund	-	1,229,780	-	1,816,000	21,050	-	3,066,830	-
Subtotal: Carryovers				1,700,580	-	1,816,000	21,050	5,592,320	9,129,950	-
Amended Expenditure Budgets				\$ 33,935,210	\$ 702,000	\$ 8,542,690	\$ 387,000	\$ 12,747,650	\$ 56,314,550	\$ 1,828,250

Ms. Linfante declared the public hearing open.

Dave Egler of 121 Poplar Drive spoke about the unassigned fund balance and Moody's credit rating.

Because there were no further comments, Ms. Linfante declared the public hearing closed.

Ms. Fraasch indicated that she could not support a budget with the Wildcat/Middle field turf project included.

Mr. Bendel moved and Mr. Brumfield seconded to enact Ordinance (Bill No. 18-14). The vote was called. Mr. Bendel, Mr. Brumfield, Mr. Silverman and Ms. Linfante voted in favor of the motion. Ms. Fraasch voted against the motion. The motion passed four to one.

**CONSIDERATION OF ORDINANCE (BILL NO. 19-14)
FIXING THE TAX RATE FOR THE YEAR 2015**

Mr. Brumfield said the municipality is reaffirming its tax rate in accordance with the adopted budget. The tax rate for general purposes is currently 4.51 mills. The tax shall continue in force for each successive calendar year without annual reenactment unless the millage rate is subsequently changed. A public hearing was held November 11, 2014.

Mr. Brumfield moved and Mr. Silverman seconded to enact Ordinance (Bill No. 19-14). The vote was called. The motion carried unanimously.

**CONSIDERATION OF ORDINANCE (BILL NO. 15-14)
AMENDING THE ZONING ORDINANCE TO REGULATE CHICKENS**

Mr. Bendel said the Ordinance permits the keeping of chickens within any residential district as an accessory use and establishes standards for the number of chickens, location and other related requirements.

On October 28, 2014, the Planning Board recommended approval of the Ordinance. The ordinance was introduced on November 11, 2014, and the public hearing was held November 24, 2014.

Mr. Bendel moved and Ms. Fraasch seconded to enact Ordinance (Bill No. 15-14). The vote was called. The motion carried unanimously.

**CONSIDERATION OF ORDINANCE (BILL NO. 16-14) AMENDING
THE ZONING ORDINANCE TO REGULATE THE KEEPING OF BEES**

Ms. Fraasch said the Ordinance permits the keeping of bees within any residential district as an accessory use and establishes standards for the number of hives, location, definitions and other related requirements.

On October 28, 2014, the Planning Board recommended approval of the Ordinance. The ordinance was introduced November 11, 2014, and the public hearing was held November 24, 2014.

Ms. Fraasch moved and Mr. Bendel seconded to enact Ordinance (Bill No. 16-14). The vote was called. The motion carried unanimously.

**CONSIDERATION OF ORDINANCE (BILL NO. 17-14) AMENDING
THE ZONING ORDINANCE TO REGULATE THE KEEPING OF ANIMALS**

Mr. Bendel said the Ordinance permits the keeping of animals within any residential district as an accessory use for non-commercial purposes and establishes minimum lot size, location and other related requirements.

On October 28, 2014, the Planning Board recommended approval of the Ordinance. The ordinance was introduced November 11, 2014, and the public hearing was held November 24, 2014.

Mr. Bendel moved and Ms. Fraasch seconded to enact Ordinance (Bill No. 17-14). The vote was called. The motion carried unanimously.

**CONSIDERATION OF ORDINANCE (BILL NO. 20-14)
ESTABLISHING COMPENSATION FOR EMPLOYEES FOR 2015**

Mr. Brumfield said the Ordinance establishes the pay rates and levels for employees, including those covered by collective bargaining for 2015. It also sets hours of work and overtime, longevity and fringe benefits. The ordinance was introduced November 24, 2014.

Mr. Brumfield moved and Mr. Silverman seconded to enact Ordinance (Bill No. 20-14). The vote was called. The motion carried unanimously.

**CONSIDERATION OF ORDINANCE
(BILL NO. 21-14) AMENDING MUNICIPAL PARK RULES**

Mr. Bendel said a new state law will take effect in January, known as Act 192. Mt. Lebanon is modifying its recreation rules to comply with the state law. The ordinance was introduced November 24, 2014.

Mr. Bendel moved and Ms. Fraasch seconded to enact Ordinance (Bill No. 21-14). The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-24-14
ADOPTING THE CAPITAL IMPROVEMENT PROGRAM (CIP)**

Mr. Silverman said the Capital Improvement Program (CIP) for 2015-2019 was submitted to the Commission on July 31, 2014. Copies of the document were placed at the library, municipal building, and website. A public hearing was held October 14, 2014.

Mr. Silverman moved and Mr. Brumfield seconded to adopt Resolution No. R-24-14. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-21-14
DESIGNATING A DEPOSITORY FOR THE FUNDS OF MT. LEBANON**

Ms. Fraasch said the Municipality must designate a depository each year for its funds. The Director of Finance recommends that the depository be First National Bank for all primary banking activities. In June of 2014, Mt. Lebanon issued a request for proposals for banking services and there were nine respondents.

Ms. Fraasch moved and Mr. Brumfield seconded to adopt Resolution No. R-21-14. The vote was called. Mr. Bendel stated that because First National Bank may use a Letter of Credit from his employer to support a deposit, he would be abstaining from the vote. The motion passed with four votes and one abstention.

**CONSIDERATION OF RESOLUTION NO. R-25-14
DESIGNATING A DEPOSITORY FOR THE FUNDS OF MT. LEBANON**

Mr. Brumfield said the Municipality must designate a depository each year for its funds. The Director of Finance recommends that the depository be WesBanco Bank for the treasurer's account and petty cash account. In June of 2014, Mt. Lebanon issued a request for proposals for banking services and there were nine respondents.

Mr. Brumfield moved and Mr. Silverman seconded to adopt Resolution No. R-25-14. The vote was called. Mr. Bendel stated that because WesBanco Bank may use a Letter of Credit from his employer to support a deposit, he would be abstaining from the vote. The motion passed with four votes and one abstention.

**CONSIDERATION OF RESOLUTION NO. R-22-14
ADOPTING THE 2015 COMPREHENSIVE FEE SCHEDULE**

Mr. Silverman said the Commission has reviewed and is now approving the proposed 2015 Comprehensive Fee Schedule for municipal operations and activities.

Mr. Silverman moved and Mr. Brumfield seconded to adopt Resolution No. R-22-14. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-23-14 ESTABLISHING
EMPLOYEE CONTRIBUTIONS TO THE PENSION PLANS FOR 2015**

Mr. Brumfield said each year the employee contribution levels must be set for the municipality's pension plans. The calculation is done in accordance with state law, and the contribution levels are collectively bargained with employee groups.

Employee contributions for 2015 to the Mt. Lebanon Police, Fire and General Pension Plans are hereby established as follows:

Police: 4% of total compensation

Fire:

Hired prior to August 28, 2011	4.25% of total compensation
Hired after August 28, 2011	4.25% of base salary and longevity

General Employees:

Hired prior to January 1, 2012	5% of total compensation
Hired after January 1, 2012	5% of base salary and longevity

Mr. Brumfield moved and Mr. Silverman seconded to adopt Resolution No. R-23-14. The vote was called. The motion carried unanimously.

**CONSIDERATION RESOLUTION NO. R-19-14 FOR THE
TRANSFER OF A LIQUOR LICENSE TO EASTWYNN THEATERS, INC.**

Mr. Silverman said state law allows liquor licenses to be transferred between establishments in different municipalities. Prior to submitting the license transfer to the Liquor Control Board. Eastwynn Theaters, Inc., has a lease for property located at 1500 Washington Road and is seeking to transfer a liquor license to their movie theater at this location. Eastwynn Theaters, Inc., has requested a hearing before the Commission for approval of the transfer of a liquor license. A public hearing was held November 24, 2014.

Mr. Silverman moved and Mr. Brumfield seconded to adopt Resolution No. R-19-14. The vote was called. The motion carried unanimously.

**CONSIDERATION OF A CONDITIONAL USE REQUEST BY
THE HISTORICAL SOCIETY OF MOUNT LEBANON TO PROVIDE A
HISTORY CENTER FOR A PROPERTY LOCATED AT 794 WASHINGTON ROAD**

Ms. Fraasch said the Historical Society is requesting conditional use approval for a property located at 794 Washington Road. The property is zoned R-4 Multi-family Residential District with an OB-Office Boutique Overlay. The Zoning Ordinance identifies Public and Semi-Public Uses as a conditional use in the R-4 District. The Historical Society has a lease/purchase agreement with the Municipality for the property and intends to use the property as a History Center. The Planning Board voted to recommended approval of the conditional use request on October 28, 2014. A public hearing was held November 24, 2014.

Ms. Fraasch moved and Mr. Bendel seconded to approve the conditional use request. The vote was called. The motion carried unanimously.

**CONSIDERATION OF FINAL APPROVAL FOR THE MOUNT
LEBANON HISTORICAL SOCIETY SITE PLAN FOR
PROPERTY LOCATED AT 794 WASHINGTON ROAD**

Mr. Bendel said on October 28, 2014, the Planning Board recommended final approval for the Mount Lebanon Historical Society Site plan for property located at 794 Washington Road conditioned on the Engineer's review comments in a letter dated October 22, 2014 and Commission approval of any waivers or modifications that may be required. All engineering comments have been satisfied.

Mr. Bendel moved and Ms. Fraasch seconded to grant final approval of the site plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN EIGHTH AMENDMENT TO
THE AGREEMENT OF SALE WITH MICHAEL G. ZAMAGIAS INTERESTS**

Mr. Brumfield said this amendment would extend Section 23.7 of the purchase agreement pertaining to "repurchase."

Mr. Brumfield moved and Mr. Silverman seconded to approve the Eighth Amendment to extend the provision until December 31, 2015. Mr. Bendel indicated that he would support this extension but that if significant progress is not made in the next six months, he would consider voting to exercise the buy-back provision. The vote was called. Mr. Bendel, Mr. Brumfield and Ms. Linfante voted in favor of the motion. Ms. Fraasch and Mr. Silverman voted against the motion. The motion passed three to two.

CONSIDERATION OF AN APPOINTMENT TO THE HOSPITAL AUTHORITY

Ms. Fraasch said Dr. William Hoon's term on the Hospital Authority expires December 31, 2014. The Commission would like to reappoint him to another term.

Ms. Fraasch moved and Mr. Bendel seconded to reappoint William Hoon to a term expiring December 31, 2019. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 10:10 p.m.