

**MINUTES OF THE REGULAR MEETING APRIL 11, 2017  
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon Pennsylvania held a Regular Meeting at 8:00 P.M., on Tuesday, April 11, 2017, at the Municipal Building. Commission President Kelly Fraasch called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager Keith McGill called the roll. Present were Commissioners John Bendel, Steve McLean, and Kelly Fraasch. Commissioners Steve Silverman and Dave Brumfield were not present. Also present were Assistant Manager/Planner McMeans, Police Chief Lauth, Finance Director McCreery, Public Works Director Sukal, Fire Chief Sohyda, Inspections Officer Berkley, Business District Manager Milliron, and Library Director Vittek. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

**COMMISSION/MANAGER'S ANNOUNCEMENTS**

Ms. Fraasch stated that items 10, 11, and 12, pertaining to the Senior Apartments of Mt. Lebanon, have been tabled until the next meeting.

Manager McGill summarized the information that was reviewed during the discussion session, including reviewing updates for the solid waste ordinance, the proposed neighborhood entry sign policy, the RFP for a construction manager for the public works facility and shooting range, reviewed the GEDF application and design consultant for Uptown Public Space Improvements, watched the new community video, as well as heard Commission comments regarding activities of boards and authorities.

Mr. McGill stated that prior to the meeting, the Commission met in executive session to receive legal advice from the solicitor on several issues. He stated that the next regular Commission meeting is scheduled for Tuesday, May 9, 2017, at 8 p.m. The discussion session will also begin approximately 6:20 p.m., in Room C. There is also an extended discussion session scheduled for Monday, April 24, 2017, at 6 p.m., regarding Community Organizations and Boards and Authorities. This meeting will be held in Room C.

Mr. McLean stated that this week is National Library Week. On Saturday, April 15, from 10 a.m. until 2 p.m., an electronic recycling event will take place where residents can drop off electronic items at the public works yard on Lindendale Drive. He stated the annual Tree City day is scheduled for Friday, April 21, at 2:30 p.m., at Hoover School, and Earth Day in Mt. Lebanon Park is scheduled for Sunday, April 23, from 11 a.m. to 3 p.m. He also stated that Rep. Dan Miller has convened a panel of experts to talk about campus safety on Thursday, April 20, from 7-9 p.m., at the municipal building. He also reminded residents that municipal offices would be closed on Friday, April 14.

**JUNIOR COMMISSIONER ELIZABETH GLADDEN COMMENTS**

Elizabeth Gladden stated that 157 students were inducted into the National Honor Society this past week. She also spoke about other school activities including upcoming student council elections, a percussion concert on April 22, at 7:30 p.m., an art show on April 29, from 6:30-8:30 p.m., and also the Relay for Life event in June.

**CITIZEN COMMENTS**

Bill Hoon of 456 Coolidge Avenue spoke about a deer/vehicle accident that occurred in Mt. Lebanon as well as the amount of funding allotted for deer management.

Angela Gaito-Lagnese of 2862 Castlegate Avenue stated that she resides across the street from the Senior Apartments of Mt. Lebanon development. She said that the demolition of the buildings on this property have been ongoing for a month, noting that there is no use of water for dust and debris suppression, no use of protection for the residents, and the lack of removal of debris from the property. She stated that she has brought this situation to the attention of the municipality, Allegheny County Health Department, the media, and the city of Pittsburgh.

Ms. Fraasch stated that the Commission met with the municipal inspection department confirming that all required permits were issued. She noted that Allegheny County Health Department is the entity responsible for the issues that have been raised.

Natalia Rudiak, city of Pittsburgh Councilwoman, stated that this development is a positive for the community, but safe guidelines need to be followed, including traffic issues, dust and debris. She asked that a municipal liaison be assigned in order to communicate to the residents in the area. Ms. Fraasch stated that Ian McMeans, Assistant Manager/Planner, is a person of contact for the municipality if there are questions about this development.

Barbara Sollenberger of 120 Newburn Drive spoke about several pedestrian/vehicle accidents that she was witness to over the past week in Pittsburgh. She stated that distracted drivers and those not fully attentive to the road are a problem. She stated that there is a driver problem in Allegheny County. She asked that more effort be given to keeping residents safe. She said that drivers are the problem, not the deer.

**CONSIDERATION OF THE MINUTES  
FROM THE ADJOURNED MEETING HELD MARCH 27, 2017**

Mr. McLean, moved and Mr. Bendel seconded to approve the minutes. The vote was called. The motion carried unanimously.

**PUBLIC HEARING AND CONSIDERATION OF ORDINANCE  
(BILL NO. 3-17) CLARIFYING THE DUTIES OF THE LIBRARY BOARD**

Mr. Bendel said the Administrative Code establishes and includes a description of the responsibilities given by the Commission to the Library Board.

The proposed ordinance would clarify the treatment of Library personnel, including that they are subject to all Municipal employment rules, regulations and policies.

This ordinance was introduced March 27, 2017.

Ms. Fraasch declared the public hearing opened.

Manny Bhojwani of 31 Lebanon Hills Drive stated that he's not an advocate of censorship; however, he has concerns with minors having access to provocative DVDs at the library. He felt there should be restrictions on these DVDs. When he inquired with the librarians about same, he was told that it is the parents' responsibility, not library personnel. He asked that the Commission look into this matter.

Bill Lewis of 816 Ridgeview Drive stated that the ordinance being proposed tonight differs from his original understanding, which had to do with the municipality involving itself in the hiring of employees for the library, as well as disciplinary actions, and that was to help manage and reduce the potential legal liability for infractions of employment law. He stated that this ordinance adds that you're making library employees municipal employees in all respects. He did not believe the municipality was complying with the Home Rule Charter and Code regarding the library employees.

Cherie Moshier of 363 Newburn Drive, president of the Library Board, stated that this ordinance puts two different issues together. She stated that the library does not have human resources expertise on staff, and the library is willing to work with the municipality to define the role that the municipality wants to be involved in for hiring practices, reviews, disciplinary actions, and dismissals. She stated that there is confusion regarding the role the municipality wants to involve itself with concerning the library staff. She stated that the municipality provides payroll processing and benefits, as well as the W-2s and paychecks have Mt. Lebanon Municipality on them. She stated that there are two different issues to be addressed, and she asked that the Commission deal with each one separately. She added that the library staff disagrees with the municipality in that they are municipal employees. She believed there should be separation between government and libraries.

Hillary Lohr of 7 Hemlock Street, a member of the Library Board, stated that library agrees that the municipality should be involved in major human resources issues, but she does not agree with library staff being managed by the municipality. She stated that if library employees are municipal employees, they may compare their duties, qualifications and salaries with those of other municipal employees.

June Swanson of 1275 Pinewood Drive, a member of the Library Board, stated that the library staff does reach out to the municipality for human resources advice, citing the hiring of the new director and other issues. She stated that the Commission is attempting to limit the authority of the library staff with the proposed ordinance. She asked that the ordinance be tabled so that the library board could discuss the issue with the Commission.

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

Mr. Bendel moved and Mr. McLean seconded to enact Ordinance (Bill No. 3-17).

Mr. Bendel stated that he appreciates the passion and commitment of the library board to make the library the asset that it is today. The points that the commenters stated about liability and concern are what is driving this ordinance. He stated that if there was a human resources issue that occurred, the municipality would be held liable because of all of the items stated tonight like paystubs, benefits, etc., and it would be construed that the municipality was responsible. He stated that this ordinance clarifies that the manager has authority over the library staff.

Ms. Fraasch stated that the community does not see a difference between the library and municipality, adding that the commissioners receive comments from the public about the library. She stated that this issue has been discussed a length.

The vote was called. The motion carried unanimously.

**CONSIDERATION OF ORDINANCE (BILL NO. 4-17)  
REGARDING NEIGHBORHOOD IDENTIFICATION SIGNS**

Mr. McLean said the proposed ordinance would amend Chapter XI of the Mt. Lebanon Code, entitled "Parks and Recreation," and Chapter XX of the Mt. Lebanon Code, entitled "Zoning," to define neighborhood identification signs and to permit them within traffic islands.

On February 28, 2017, the Planning Board recommended approval of the Ordinance.

This ordinance was introduced on March 14, 2017, and the public hearing was held March 27, 2017.

Mr. McLean moved and Mr. Bendel seconded to enact Ordinance (Bill No. 4-17). The vote was called. The motion carried unanimously.

**INTRODUCTION OF ORDINANCE (BILL NO. 5-17) TO CLARIFY  
AND UPDATE A NUMBER OF PROVISIONS IN THE ZONING CODE**

Mr. McLean said the proposed ordinance would amend Chapter XX of the Mt Lebanon Code, entitled "Zoning," to clarify and update a number of provisions in the Zoning Code. The Ordinance includes amendments to uses, clarifications on side yards and setbacks, clarification of clauses relating to the Comprehensive Plan and Pennsylvania Department of Environmental Protection, the addition of requirements for medical marijuana and self-storage facilities, additional definitions, and an amendment to the provisions on methadone clinics.

On March 28, 2017, the Planning Board recommended approval of the Ordinance.

Ordinance (Bill No 5-17) as introduced, and the public hearing was set for May 9, 2017.

**CONSIDERATION OF RESOLUTION NO. R-6-17 CONCERNING A  
GAMING ECONOMIC DEVELOPMENT FUND (GEDF) GRANT APPLICATION**

Mr. Bendel said this is a standard resolution accepting GEDF funds totaling \$500,000 for the Uptown Streetscape Project.

Mr. Bendel moved and Mr. McLean seconded to adopt Resolution No. R-6-17. The vote was called. The motion carried unanimously.

**CONSIDERATION OF FINAL APPROVAL FOR  
THE HOFFMAN-UNG-LEE SUBDIVISION PLAN**

Mr. McLean said the Planning Board reviewed this plan at its meeting on March 28, 2017. The Board voted in favor of a motion to grant preliminary approval and recommend final approval of the Hoffman-Ung-Lee Subdivision Plan, subject to the Engineer's review comments in a letter dated March 13, 2017 and a letter from Allegheny County dated March 24, 2017. All engineering comments have been addressed.

The asphalt parking lot of 121 Mt Lebanon Boulevard encroaches onto the properties at 124 Rock Haven Lane and 128 Rock Haven Lane. The plan would divide the property at 124 Rock Haven Lane into two parcels with a section of 900.95 square feet to be acquired and consolidated with the property at 121 Mt Lebanon Boulevard. The plan would also divide the property at 128 Rock Haven Lane into two parcels with a section of 558.47 square feet to be acquired and consolidated with the property at 121 Mt Lebanon Boulevard.

Mr. McLean moved and Mr. Bendel seconded to grant final approval of the Hoffman-Ung-Lee Subdivision Plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF FINAL RE-APPROVAL FOR  
THE 1701 COCHRAN LAND DEVELOPMENT PLAN**

Mr. Bendel said this is a request for re-approval for a land development plan.

CE-Acquisitions II, LP, is requesting re-approval of a land development plan for the property located at 1701 Cochran Road, to re-use an existing two-story brick commercial building and construct a new two-story commercial building on the same lot.

The plan received final approval from the Mt. Lebanon Commission, but the 90-day time limitation to record the plan expired before the plan was recorded. The applicant is requesting that the Commission reapprove and re-execute the land development plan so that it can be recorded.

Mr. Bendel moved and Mr. McLean seconded to grant re-approval of the 1701 Cochran Land Development Plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF COMMENCEMENT OF PENSION BENEFITS**

Mr. McLean said Mt. Lebanon sponsors three defined pension benefit plans for their employees: General Employees, Police and Firemen. The Commonwealth of Pennsylvania's Department of the Auditor General requires that all benefit commencements for the Police Pension Plan be approved by the Commission. It also recommends that all benefit commencements regardless of plan type be approved by the Commission.

The employees detailed below have requested benefit commencement commensurate with the terms of their respective pension plans.

<b>Employee Name Title</b>	<b>Pension Plan Department</b>	<b>Benefit Start Date</b>
Janet Zucharo Parking Enforcement Officer	General Employees Parking	4/1/2017

Mr. McLean moved and Mr. Bendel seconded to approve benefit commencement for Janet Zucharo. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR AWARD OF A CONTRACT FOR  
DESIGN SERVICES FOR UPTOWN PUBLIC SPACE IMPROVEMENT**

Mr. Bendel said in March 2017, the municipality interviewed three design firms to assist with public input sessions and develop conceptual renderings for the Uptown Streetscape Project. Each firm has professional experience in public planning for public space improvement projects.

After consideration and discussion with the Design Committee, it is the recommendation of staff to the Mt. Lebanon Commission to award the contract for Design Services to Evolve. The total cost of the proposal is \$12,945. There was \$17,000 carried over from the 2016 budget that will be used to offset the cost of the contract.

Mr. Bendel moved and Mr. McLean seconded to authorize the proper officials to execute the contract with Evolve, in a form as reviewed and approved by the Manager and the Solicitor, in the amount of \$12,945. The vote was called. The motion carried unanimously.

**ADJOURNMENT**

The meeting adjourned at 9:13 p.m.