



CITY OF TITUSVILLE

BIRTHPLACE OF THE OIL INDUSTRY



COUNCIL PROCEEDINGS

May 12, 2009

The regular meeting of Titusville City Council was called to order by Mayor Nystrom in the Conference Room at the Titusville Redevelopment Authority at 6:00 p.m. The Invocation was given by Reverend Bill Blair. The Pledge of Allegiance was led by Mayor Nystrom. Present at the meeting were Mayor James Nystrom, Councilmen John Frye, Patrick Cartney, Councilwoman Bonnie Hull, Pennie Maclean, City Manager. Mary Hill represented The Titusville Herald. It was moved by Mrs. Hull, seconded by Mr. Cartney, and carried unanimously to adopt the meeting Agenda as prepared. It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to accept the minutes of the regular meeting of April 28, 2009 as submitted and place on file.

PUBLIC HEARING - RE: PROPOSED ZONING ORDINANCE

Ms. Maclean read Council Bill No. 3 of 2009.

Tom Graney, consultant for Graney and Associates, said he spent many hours with Tim Lorenz, Building Inspector and Zoning Officer, Leah Carter, of the Planning Commission, and the Planning Commission, to draft the new Ordinance. Mr. Graney reviewed the ten zoning districts and two overlay districts in this Ordinance: S-1 Special Conservation District; R-1 Single-Family Residential District; R-2 Two-Family Residential District; R-3 Multiple-Family Residential District; RLB - Residential Limited Business District (purpose of RLB was to allow non-retail uses to exist; uses that did not demand a lot of parking or demand an awful lot of traffic generation); Gallery Overlay District; C-1 Commercial District (Downtown); C-2 Commercial District; I Industrial District; Urban Industrial District; IOD - Industrial Overlay District; Historic Overlay District. Mr. Graney stated that the Historic Overlay District is not shown on the map because it has not been implemented but is available for implementation anytime property owners, or Council, or Planning Commission deems it appropriate to do so. The Ordinance has seven Articles. The first three cover the primary regulations, while Article 4 and 5 primarily are administrative or mandated elements from the Pennsylvania Municipalities Planning Code. Article 6 is the Historic Overlay District. Though the provisions are modeled on ordinances adopted under Act 167 of 1961 (The Historic District Act), it was prepared under the powers granted to municipalities by Sections 603(b)(5) and 603(c)(7) of the Planning Code. Article 7 is devoted to definitions. Mr. Graney stated that this is the first new zoning ordinance that the City has looked at in many, many years. Mr. Graney recommended careful attention be paid over the first six months to one year to determine if future adjustments are needed.

107 North Franklin Street • Titusville, Pennsylvania 16354

Phone: (814) 827-5300 • Fax: (814) 827-9458 • e-mail: manager@cityoftitusvillepa.gov

PUBLIC HEARING - RE: PROPOSED ZONING ORDINANCE - (Continued)

Mr. Graney stated that the Administration, the Zoning Officer, and Planning Commission should be commended on the many, many hours of work they have invested in this document. Mr. Graney stated that most of the standards within the ordinance - for example, parking, standards for loading space, things of that nature were taken from national sources. Mr. Graney stated that he, Mr. Lorenz, Mrs. Carter, and the Planning Commission tried to keep the proposed new ordinance compatible with the current ordinance. Mr. Graney reviewed questions that were forwarded to him. A government service center in the context of this Ordinance would be an office, any kind of government office - social security, housing authority, municipal office offering services to the people, basically like a business office, only different. Mr. Graney stated that they spent considerable time talking about driveways and how much percentage of the curb area should be open. The Planning Commission felt very strongly that parking shall be allowed in driveways but in no other area of the front yard, and there should be limitation of curb cuts for driveways. Mr. Graney stated the ten to twelve feet was intended for that section leading up to the garage. With regard to electronic signs, Mr. Graney stated signs are something that are coming on very strong. The regulations they suggested were from a couple of sources. Mr. Graney stated that the sign is a distraction to the driver. They are recommending that there shall be no more than one second between messages. Each complete message must fit onto one screen (i.e., no scrolling or incomplete messages permitted). Fences and pools - Mr. Graney stated that the Consumer Product Safety Commission has recommended standards for home pools and that is the reference they use within the Ordinance. The soft sided pools essentially may not qualify as a structure so there is some question as to whether the Zoning Ordinance applies and they are difficult to control.

Mr. Frye questioned off-street loading space requirements. Mr. Graney stated there has been very little real research done on truck parking. Some of this has been taken from practice in other communities and from other ordinances. Mr. Graney stated he feels this is probably as reasonable as they are going to get unless they pay for research. Mr. Frye asked a few questions regarding parking and also commented that he doesn't like the outdoor furnaces section and thinks they should take it out of the Ordinance. Mr. Graney stated there have been some changes in the standards for these furnaces. There are two phases that the EPA has entered into with these people to reduce the emissions. Mr. Graney stated this is a policy issue and it is up to Council. Mr. Frye thanked everybody who worked on this Ordinance and said he appreciates all their work.

Leah Carter stated she received a call from a business owner (900 block of East Main Street) asking if they would consider extending the RLB (Residential Limited Business District) two or three more lots to open opportunity for more small business development in case his business would expand.

PUBLIC HEARING - RE: PROPOSED ZONING ORDINANCE - (Continued)

Mrs. Carter suggested they consider all of that piece be RLB. Mr. Graney stated the hearing process would have to start all over if they changed the map. Mr. Graney recommended they look at this recommendation as a typical amendment to the zoning map after adoption. Mrs. Carter also commented that Planning is recommending that the City's Historic District be their Historic Overlay District.

Mayor Nystrom closed the Public Hearing and thanked Mr. Graney for his input.

BID AWARD - 2009 PAVING - It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to award the 2009 paving contract to Russell Standard Corporation, Union City, PA at a base bid cost of \$322,579.50 and including Option 1 (Allen Street from Bank Street to East Bloss Street) in the amount of \$13,165.82 for a total amount of \$335,745.32 as recommended by the Public Works Director.

BID AWARD - COMPLETE ROOF REPLACEMENT @ CITY HALL - It was moved by Mr. Frye, seconded by Mr. Cartney, and carried unanimously to award the complete roof replacement contract to Ken Leach Construction, Titusville, Pa at a cost of \$18,202.00.

PUBLIC PARTICIPATION - pertaining to agenda items - None.

OPERATIONAL REPORTS - It was moved by Mrs. Hull, seconded by Mr. Frye, and carried unanimously to accept the Operational Reports (Police, Fire, Building Inspector, Public Works Director) and Treasurer's Report for the month of April and place on file.

Ms. Maclean stated she wanted to recognize that this is National Police Week and on behalf of the City thanked the Police Department for the wonderful service we receive as a community and encouraged the community to exercise that gratitude as they see the Police Officers, especially this particular week.

MINUTES OF BOARDS AND COMMITTEES - It was moved by Mrs. Hull, seconded by Mr. Frye, and carried unanimously to accept the minutes of the Titusville Housing Authority dated March 17, 2009 and place on file.

BILL LISTING - It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to ratify the bill listing warrants dated May 1, 2009 and May 8, 2009. It was moved by Mr. Frye, seconded by Mr. Cartney, and carried unanimously to approve the bill listing warrant dated May 13, 2009.

NEW BUSINESS

APPOINTMENT TO AIRPORT AUTHORITY - It was moved by Mrs. Hull, seconded by Mr. Frye, and carried unanimously to appoint Keith Bromley, 518 N. Perry Street, to the Airport Authority to fill an unexpired term. Term will expire January 1, 2014.

COUNCIL BILL NO. 3 OF 2009 - An Ordinance of the City of Titusville, County of Crawford, Commonwealth of Pennsylvania, adopting a Zoning Ordinance and a Zoning map; dividing the City into ten zoning districts and two overlay districts; setting forth specific regulations applicable to each zoning district; adopting general regulations with respect to nonconforming uses and nonconforming structures, off-street loading and parking, and other specified uses within the City of Titusville; enacting a system of administration and enforcement of the Zoning Ordinance including the prescription of penalties for violation thereof, and methods for appeal; creating a Zoning Hearing Board with specific jurisdiction to hear challenges to the validity of a Land Use Ordinance and appeals from determinations of the Zoning Officer or City Engineer and to consider applications for variances and special exceptions and other matters; setting forth requirements to be met for the granting of a variance; enacting a procedure for the consideration of conditional uses; creating an Historic Overlay District and providing for certain procedures related thereto, including the requirement for a permit for certain activities within the Historical Overlay District and for a Design Review Committee to pass upon certain matters related to new construction within the Historical Overlay District, and providing for penalties and enforcement for violations thereof; and enacting certain definitions applicable to the Zoning Ordinance.

It was moved by Mrs. Hull, seconded by Mr. Frye, and carried unanimously to introduce Council Bill No. 3 on first reading.

APPROVAL OF MEETING SCHEDULE - It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to approve a summer meeting schedule as follows: Work sessions on the first and second Tuesday of the months of June, July, and August. Regular meetings on the third Tuesday of the months of June, July, and August.

PUBLIC PARTICIPATION - None.

COMMENTS BY MAYOR AND/OR COUNCIL/COMMITTEE REPORTS

Mr. Cartney stated with the wind storm they had he would like to commend City personnel for the good clean up job they did, especially at Spruce and Martin.

It was moved by Mrs. Hull, seconded by Mr. Frye, and carried unanimously to adjourn the meeting to a brief personnel session followed by immediate adjournment. Meeting adjourned at 7:30 p.m.

Suzanne Birtciel
Recording Secretary