

Ohiopyle Borough Council



Meeting Minutes

2024 March 28

2024

Meeting called to order at 6:03pm

Council Members Present: Jessica Kruse, Conrad Hamather, Sara Cunningham, Pamela Kruse, Linda McCarty (via Zoom), Mark McCarty (via Zoom).

Others Present: Patricia Hoehn – Borough Secretary, Josh Bukovac – Zoning Enforcement from K2 Engineering, Kerry Bell – Widmer Engineering, Kim Little – Ohiopyle Borough Steering Committee Member (via Zoom), Ken Bisbee – State Park Director

Others Present: Whit Little, Kim Little

1. **February 2024 Meeting Minutes unanimously approved**
 - a. Motion made by Conrad Hamather
 - b. Second made by Pamela Kruse
 - c. Voted – All
2. **Unpaid bills report was reviewed and approved**
 - a. Motion made by Pamela Kruse
 - b. Second made by Conrad Hamather
 - c. Voted – All
3. **Motion to appoint Linda McCarty to open council seat**
 - a. Motion made by Pamela Kruse
 - b. Second made by Conrad Hamather
 - c. Voted – All
4. **Motions for Resolution 01-2024 to appoint Linda McCarty to open council seat**
 - a. Motion made by Conrad Hamather
 - b. Second made by Sara Cunningham
 - c. Voted – All
5. **Correspondence**
 - a. The Borough received an application for a food truck permit, however the applicant is requesting to set up in the parking lot at the base of Sugar Loaf and 381. Jessica has advised the applicant that they will need to reach out to the State Park directly or choose an area within the borough.
 - b. Notice from Euclid cancelling the public officials policy 2024-07-01 due to no longer supplying that type of policy. Council will follow-up with insurance broker for new insurance.
6. **Motion to combine parcels 26-02-0022 and 26-02-0022-01 into one parcel.**
 - a. Motion made by Pamela Kruse
 - b. Second made by Linda McCarty
 - c. Voted – All

7. **Motion for Resolution 02-2024 to combine parcels 26-02-0022 and 26-02-0022-01 into one parcel.**

- a. Motion made by Linda McCarty
- b. Second made by Sara Cunningham
- c. Voted – All

8. **Reports**

- a. Steering Committee
 - i. Kim Little reported that Whit Little is in contact with Aspire Grant writing and they will attend the next meeting.
- b. Festival Committee
 - i. Jessica Kruse reported that the insurance is in place for the wine festival. The next step is to allow for street closures for the festival

9. **Motion to close the streets of the length of Lincoln St from Main Street (Route 381) to Grant St and Sherman St from the entrance to Ohiopyle Suites to the Parking Area across from the Community Center from Friday May 31, 2024 5pm to Saturday June 1, 2024 10pm.**

- a. Motion made by Pamela Kruse
- b. Second made by Conrad Hamather
- c. Voted – All

10. **Unfinished Business**

1. **K2 Engineering Report**

1. Josh Bukovac reports on zoning issues with the structures behind the Falls City Pub on Garrett Street.
 1. Josh will request permission from the property owner to inspect the structures. Suggests that applying for a building permit will not fix the issue.
 2. Pam Kruse informed council that during the year 2020 the property owner was informed via letter that the buildings were not permitted. Due to lack of enforcement, nothing further was pursued.
 3. Josh reports that the only option from a zoning standpoint is removal of the structures. He will submit a violation notice to the property owner. If no response is received, code states that the borough must take civil action against the property owner. Josh requests that borough solicitor continue with the action.
2. Josh Reports on 136 Grant St informing council that there is nothing in the zoning ordinances prohibiting multiple structures being built on a single property as long as they meet the set back requirements.
 1. The property owner of 136 Grant St has requested another sewage tap. Kerry Bell reports that they had approval from DEP 2 years ago so that is still available to them.
 2. Pam Kruse states that every structure requiring sewage access will require a separate tap. Kerry Bell will send a report to the borough showing how many taps are currently on the property.
 3. Mark McCarty states that the property owner will be required to offer at least 2 off street parking spaces for the new building.

Jessica Kruse spoke with the property owner regarding parking and the owner informed Jessica that she has provided plans for off street parking spaces. Josh will check the drawing submitted with the application.

4. Pam suggests that if the upper unit on 140 Grant St has a separate entrance, it will also require a separate sewage tap. Josh believes it is going to be one unit but will follow up.
3. Josh Reports he has received a building permit for 107 Blaine St. Permit will be issued.

2. **Widmer Engineering Report**

1. Kerry Bell reports that the Chapter 94 Wasteload report is available. The sewage plant was not overloaded in 2023. The allowance is 30,000 gallons each day. The 2023 average daily usage was 25,000 gallons. The borough did exceed the allowance a couple of months however unless there is an overage for three consecutive months, it is not reported. The last time the plant was considered overloaded was in the year 2020. Kerry contacted DEP to notify them that while the borough is still under a consent order, it has not gone into overload for almost 4 years.
 1. Pam Kruse asked Kerry if he knows what the projected flow for the new boater change house will be. Mark McCarty said DEP informed the borough that it is projected to go into overload in the next 5 years. Kerry indicated that the highest month reported this year was 44,000 gallons. Pam fears that once the boater change house is connected, the plant could go into overload more often. Mark indicates if that happens, the borough will be forced to turn the water off to that location, following the borough code of the first to be turned off will be State Park access followed by businesses to ensure that the residents maintain access to water and sewage. Ken Bisbee informed council that the new boater change house has the exact same number of facilities as the old change house. Urinals are no flow, sinks are low flow and there is no infiltration. Kim Little asks if there is a way council can be proactive and inform that State Park of the statistics so that if they need to be removed from water and sewage service they will not be surprised? Ken Bisbee said council should consider DCNR as being notified due to his presence at the meeting. Pam Kruse stressed that the biggest thing council should consider is the change house is more appealing and in a great location to receive a much higher amount of use by not only private boaters, but any tourist who is parking nearby or utilizing the tunnel access from across the street.
 2. Flowmeter – Widmer engineering is waiting for a tax exempt form from the borough. Jessica says she has a tax exempt form and will

send it to Widmer. Kim Little states that it has been months waiting for a piece of paper to be holding up something that turning out to be so critical. Pam suggests that if the engineering company needs anything like that to please contact the borough immediately.

3. Solicitor RFPS

1. Two Responses received. Need to schedule interviews. Will set up in person and zoom interviews. Jessica will set up interviews and request Douglas Sughrue to attend and facilitate the interviews.
 1. Turturice & Associates – Located in Washington, charges travel time
 2. Melinda Dellarose – Located in Uniontown, no charge for travel

4. Lawn Care RFPS

1. Four proposals received. Last year we paid \$150
 1. The Cutting Edge Landscaping – \$450
 2. Radovich Lawncare – \$205
 3. McMullan’s Lawncare - \$150 weekly / \$625 Spring Clean Up
 4. Heart Landscaping - \$195

5. Motion to accept McMullan’s Lawncare RFP.

1. Motion made by Pamela Kruse
2. Second made by Linda McCarty
3. Voted – All

11. New Business

- a. Ken Bisbee is retiring from the State Park April 4, 2024
 - i. Updates that the completion date for the bath house was supposed to be April 7, 2024, but has now been postponed to May 27, 2024 which is Memorial Day Weekend.
 - ii. Upper Tier Parking Lot is being postponed to 2026. Ferncliff will be done around the same time. Ken requested that Christine Hunter, the new design architect for the project, put together a few renderings to present to the Borough and also to not close both parking areas at the same time as this will create parking issues.
 - iii. Kevin Colborn from American Whitewater is holding approximately \$30,000 from a donor to improve the loop takeout. Looking at a possibility of repairing the loop takeout starting in August or September of this year.
 - iv. Ken says he has been working in State Parks for 43 years and has been in Ohio for a decade. This is the highlight of his career and he wants to thank everybody for the last 10 years. Its been exciting, challenging and fun.
 - v. State Park Director replacement interviews are on Monday. It will be someone familiar with State Parks. Ken wrote a 12 page blog to leave behind for the new director so they will be familiar with all of the current issues.

- vi. Ken will be moving to Cheat Lake area and will be a short drive away if needed.
- b. Final Payment from Martin's is due
 - i. Pam Kruse inquired if the borough has received the final payment from the Martin family for the easement agreement on Garrett St. Jessica Kruse informed council that she has sent multiple notices and has received another payment from the Martin family. There is still a final payment due of \$6307.
 - ii. Josh Bukovac indicated when he send the notice to inspect the grease trap at Falls City Pub, he does not think the grease trap was operational at that time. Josh informed the managers to double whatever their current maintenance plan is.
 - iii. Pam suggests having periodic inspections of the pump station on Garrett St, to stay ahead of the grease buildup issues.
 - iv. Mark McCarty suggests the sewage plant operator, stop by the pump station on Garrett St weekly and take a picture to keep on file. If any issues are noted, the operator will contact Josh Bukovac and he will follow up with a grease trap inspection.
- c. Pot hole on Sheridan Street near the train station.
 - i. Pam Kruse informed council that the large pothole on Sheridan St. near the train station is in need of repair. Options discussed are to contact Stewart Twp for a price to repair, cold patch it ourselves or call around for more bids.
- 4. **Motion to allocate \$500 for repairs to pot hole on Sheridan St.**
 - 1. Motion made by Linda McCarty
 - 2. Second made by Conrad Hamather
 - 3. Voted – All
- e. Pam asked if we can get all the signs laying behind the building put back up.
 - 1. Ken Bisbee will see if the State Park can help
 - 2. Pam will ask her contractor
- f. Kim Little asked about placing trash cans around the borough
 - 1. Pam stated last year White Water Adventurers donated a dumpster but then the lawn care company used it for lawn clippings and caused extra fees to dump it so they removed it and will not be putting it back.
 - 2. Pam will make calls and get pricing on a new dumpster for the borough.
- g. **Motion to accept bids for trash removal not to exceed \$300/month.**
 - 1. Motion made by Linda McCarty
 - 2. Second made by Conrad Hamather
 - 3. Voted - All

12. Adjournment

- a. Next Meeting will be April 25, 2024 at 6:00pm
- b. Motion made by Linda McCarty
- c. Second made by Pamela Kruse
- d. Voted - All
- e. Meeting Adjourned at 7:15pm