

**Borough of Edinboro  
Council Meeting Minutes  
June 12, 2023**

**CALL TO ORDER:**

The meeting was called to order by Mayor Aaron Gast at 6:34 PM.

**Pledge of Allegiance**

**ROLL CALL:**

Council members present were Pat Davis, Mark Eisert, Amanda Frantz-Mamani, Aaron Gast, and Mary Ann Horne. Absent were Jim Kiley and Spencer Larson.

Other official present was Jason Spangenberg. Citizens present were Mary Schenck, Mary Ann Mook, Janet Stachowiak, John Stachowiak, Ray Overholt, Nathan Kuble, Kyle Shoulders, Mike Baker, and Jackie Rhen.

**MINUTES:**

Pat Davis moved to approve the minutes of the May 8 regular meeting as presented. Mary Ann Horne seconded, and the motion passed 5-0.

**PUBLIC PARTICIPATION:**

None

**COMMITTEE REPORTS:**

**Finance Committee:**

Mary Ann Horne moved to approve bills paid May 22 totaling \$244,226.99; and June 12 totaling \$136,480.20. Mark Eisert seconded, and the motion passed 5-0.

Mary Ann Horne moved to approve payroll paid May 18 totaling \$79,835.04; and paid June 1 totaling \$88,601.07. Pat Davis seconded, and the motion passed 5-0.

**Ordinance Review Committee:**

Mark Eisert moved to approve Ordinance 626 as discussed at the hearing held prior to this meeting:

**HOME RULE BOROUGH OF EDINBORO ORDINANCE  
NO. 626**

**AN ORDINANCE AMENDING CHAPTER 27 OF THE EDINBORO BOROUGH,  
PERTAINING TO ZONING, AMENDING SECTION 202, ENTITLED "SPECIFIC  
TERMS", TO ADD A DEFINITION OF THE TERM "RECREATIONAL  
FACILITIES"; AMENDING SECTION 306, ENTITLED "PERMITTED USES,  
CONDITIONAL USES AND SPECIAL EXCEPTIONS," TO ADD RECREATIONAL  
FACILITIES AS A PERMITTED USE IN THE C-1 DOWNTOWN BUSINESS**

**DISTRICT AND C-2 PERIPHERY BUSINESS DISTRICT; AMENDING SECTION 403 REGARDING APPLICATION OF YARD REGULATIONS TO INCREASE THE SIZE OF PERMITTED STOOPS AND PERMIT STOOPS TO MATCH THE SIZE OF PREVIOUSLY EXISTING AND PERMITTED OVERHANGS OR ROOFS; PROVIDING FOR SEVERABILITY, A REPEALER, DIRECTIONS TO THE BOROUGH MANAGER AND AN EFFECTIVE DATE.**

*WHEREAS, pursuant to Edinboro Borough Ordinance No. 585, adopted on or about September 12, 2011, the Borough of Edinboro codified its Ordinances, including Ordinance No. 457, adopted on or about January 31, 1994, and amended from time to time, known as the Zoning Ordinance of the Borough of Edinboro (the "Zoning Ordinance"); and*

*WHEREAS, the Borough has the power and duty to enact ordinances that promote the health, safety, and general welfare of the residents and visitors, including zoning ordinances; and*

*WHEREAS, the Edinboro Borough Council has determined that it promotes the health and general welfare of the residents and visitors of the Borough to authorize recreational facilities within the C-1 Downtown Business District and the C-2 Periphery Business District; and*

*WHEREAS, the Edinboro Borough Council has determined that amending the yard regulations to permit the construction of a stoop to meet the exterior verminous of an existing and permitted overhang or roof is beneficial to, and does not detract from, properties and neighborhoods within the Borough.*

**NOW THEREFORE**, this 12<sup>th</sup> day of June, 2023, the Edinboro Borough Council hereby ordains and enacts the following:

**Section 1.** That § 202 of Part 2 the Zoning Ordinance, entitled "Specific Terms", is hereby amended by inserting a new definition in the proper alphabetical order as follows:

**RECREATIONAL FACILITY**

*Any facility, including, but not limited to a facility determined to be Commercial Recreation (Indoor), which provides indoor or outdoor recreational opportunity for patrons.*

**Section 2.** That Table 27-306-1 of § 306 of Part 3 of the Zoning Ordinance, entitled "Permitted Uses, Conditional Uses and Special Exceptions", is hereby amended through the inclusion of Recreational Facilities as a Permitted Use in the C-1 Downtown Business District and the C-2 Periphery Business District, as shown through the insertion of the underlined language as follows:

**Table 27-306-1**

**Zoning Districts**

**Permitted Uses, Conditional Uses and Special Exceptions**

**C-1 Downtown Business District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Retail Business	Shopping Centers (§ <u>27-308</u> , Subsection 1U)	Gasoline Service Stations (§ <u>27-308</u> , Subsection 1Q)
Professional Services	Bottle Clubs (§ <u>27-308</u> , Subsection 1AA)	Public Utility Substations (§ <u>27-308</u> , Subsection 1B)
Eating and Drinking Places (Not Drive-Through)		Residence on an Upper Story (§ <u>27-308</u> , Subsection 1P)
Theaters		Automotive Service (§ <u>27-308</u> , Subsection 1Q)
Accessory Uses		Car Wash (§ <u>27-308</u> , Subsection 1I)

**C-1 Downtown Business District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Essential Services		Eating and Drinking Places-Drive-Through (§ <u>27-308</u> , Subsection 1W)
Accessory Buildings		
Dog Grooming		
Home Occupations		
Banks and Financial Institutions		
<u>Recreational Facilities</u>		

**C-2 Periphery Business District**

<b>Permitted Uses</b>	<b>Conditional Uses</b>	<b>Special Exceptions</b>
Retail Business	Shopping Centers (§ <u>27-308</u> , Subsection 1U)	Gasoline Service Stations (§ <u>27-308</u> , Subsection 1Q)
Professional Services	Bottle Clubs (§ <u>27-308</u> , Subsection 1AA)	Public Utility Substations (§ <u>27-308</u> , Subsection 1B)
Eating and Drinking Places (Not Drive-Through)		Multi-family Dwellings (§ <u>27-308</u> , Subsection 1J)
Theaters		Automotive Service (§ <u>27-308</u> , Subsection 1Q)
Accessory Uses		Car Wash (§ <u>27-308</u> , Subsection 1I)
Accessory Buildings		
Essential Services		Eating and Drinking Places — Drive-Through (§ <u>27-308</u> , Subsection 1W)
Dog Grooming		
Home Occupations		
Banks and Financial Institutions		
<u>Recreational Facilities</u>		

**Section 3.** That § 403 of Part 4 the Zoning Ordinance, entitled “Application of Yard Regulations”, is hereby amended by the deleting the struck out terms and inserting the underlined text, as follows:

403. Application of Yard Regulations.

2. All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies or platforms above normal grade level, shall not project into any minimum front, side or rear yards except as noted in this subsection, subsection .3 and subsection .4. Overhangs of up to 18 inches will be allowed (see illustration), except as provided below for stoops. Steps and stoops to exterior doors will be permitted (see illustration). A stoop to an exterior door may not exceed a measurement of ~~4 feet deep and 6 feet wide~~ 6 feet deep and 8 feet wide, except that a stoop to an existing door may be constructed such that it extends to the outer terminus of a previously existing and permitted overhang or roof. A permitted stoop may be covered, but not enclosed. A permitted stoop may have up to 2 support columns to support any covering. The covering of a permitted stoop may have up to a 3 inch overhang beyond the stoop dimensions. A chimney may project not more than two feet into a required yard. Bay windows and balconies may project not more than two feet into a required yard.

**Section 4. Repealer.**

Any ordinances, rules or resolutions, or parts of ordinances, rules, or resolutions, in conflict herewith shall be, and the same are hereby repealed.

**Section 5. Severability**

*The provisions of this Ordinance are severable. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.*

**Section 6. Directions to Borough Manager**

*The Borough Manager is hereby directed to affix the Borough Seal upon this Ordinance, insert the date of enactment upon the same, record the ordinance in the Borough Ordinance Book and take all such actions as are required by the Home Rule Charter of the Borough and to amend the Borough Code as may be necessary.*

**Section 7. Effective Date.**

*This Ordinance shall be effective on the tenth (10th) day following the enactment of this Ordinance, as indicated below.*

*ORDAINED AND ENACTED by the BOROUGH COUNCIL OF THE HOME RULE BOROUGH OF EDINBORO on the date first indicated above.*

Manager Spangenberg noted that the Erie County Planning Department and the Edinboro Planning Commission reviewed the ordinance and recommended approval. Amanda Frantz-Mamani seconded, and the motion passed by 5-0 roll call vote: Amanda Frantz-Mamani, yes; Mark Eisert, yes; Mary Ann Horne, yes; Pat Davis, yes; and Aaron Gast, yes.

Mr. Spangenberg noted that the ordinance committee is reviewing an ordinance that would prohibit burning garbage in the Borough.

**MANAGEMENT REPORTS:**

Borough Manager Jason Spangenberg presented his report:

PennDOT US-6N/PA-99 Intersection: Construction is expected to start this week and last through the summer. No all-out intersection closures are anticipated at this time.

Sidewalk along Rt. 99 north: This project is now underway and is expected to last through the summer. Things are moving along well so far.

Nature's Outlet Improvements: We have been awarded \$50,000 in funding from ECGRA to cover a portion of the Nature's Outlet CDBG project. The County has opened bids for this project and will be awarding the contract soon. Work is expected to begin in the late summer or early fall.

Summer Events: The Art & Music Festival took place May 19-21, with a great turnout and no issues reported. The final running of the Edinboro Triathlon was held June 3, with perfect weather and also no issues reported. Planning is underway for the July 3 fireworks event and the Movies Under the Stars series.

County Executive: On May 11 we hosted the County Executive and his staff for a meeting with Edinboro-area leaders. The meeting was very positive and we anticipate working more closely with the County moving forward to help improve Edinboro.

Lakeside Association: On May 12 he attended the Lakeside Association board meeting. We discussed various ways the Borough and Lakeside Association can continue to work together.

Municipal Software: The process is well underway to convert our municipal software from Freedom Systems to BS&A. We anticipate we will have the new software up and running in time to mail the August water bills.

Events Intern: McLane Church approached him with a recent high school graduate looking for an internship relating to event planning. The Church will be paying this student to help with planning of the fireworks event over the next few weeks.

County EMS Planning: On June 5 the County Executive held a meeting in our building to discuss potential action plans for the EMS crisis. McKean Township, McKean Borough, Franklin Township, and Washington Township had representation present. More meetings will be held with other municipalities and fire departments. They hope to have a proposal by the end of the summer for specific action that can be taken to help with the problem.

ECGRA: On June 6 he attended a press conference held by ECGRA at Goodell Gardens to discuss the grant awards in our area in recent months. We are thankful for ECGRA's continued support for the Edinboro area.

Town & Gown: On June 7 the regular Town & Gown meeting with the University was held. Their building demolition project is expected to get underway in the coming weeks, which will include the demolition of Centennial, Earp, Dearborn, Rose, Miller, Earley, and the building immediately west of Earley. Enrollment for the fall on is pace with their goals, although down slightly from this past fall.

Joint Parks Plan: Initial planning is underway to begin the process of creating a joint parks plan with Washington Township. The first planning committee meeting was held June 7. It will likely be a few months until we are ready to hold public meetings.

**Finance:**

Mark Eisert moved to approve Resolution 8-2023:

**BOROUGH OF EDINBORO  
RESOLUTION NO. 8-2023**

***A Resolution to Approve an Application for the  
Erie County Municipal Infrastructure Gap Funding Program***

***WHEREAS***, the Federal government through the American Rescue Plan Act legislation allows for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems, and provide access to high-quality broadband service; and

***WHEREAS***, the Federal government has provided guidance on eligible uses of the funding through the U.S. Department of the Treasury to the County of Erie; and

***WHEREAS***, the County of Erie has provided information to all Erie County municipalities on the activities that are eligible for grant funding and the process to request grant funding; and

**WHEREAS**, the Borough of Edinboro has reviewed the Erie County Municipal Infrastructure Gap Funding Program guidelines and completed the application process provided by the County of Erie; and

**WHEREAS**, the Borough of Edinboro Council has reviewed the completed application prior to submission to the County of Erie and finds it to be in good order; and

**WHEREAS**, the Borough of Edinboro Council agrees to the terms and conditions set forth in the application portal.

**IT IS HEREBY RESOLVED** that the Borough of Edinboro Council, Erie County, Pennsylvania approves the filing of an application for the Erie County Municipal Infrastructure Gap Funding Program.

**ADOPTED this 12<sup>th</sup> day of June, 2023.**

Amanda Frantz-Mamani seconded, and the motion passed by 5-0 roll call vote: Amanda Frantz-Mamani, yes; Mark Eisert, yes; Mary Ann Horne, yes; Pat Davis, yes; and Aaron Gast, yes.

Mary Ann Horne moved to award the EACOG joint gas and diesel bid to Melzer's Fuel Service as the only bidder. Mark Eisert seconded, and the motion passed 5-0.

**NEW BUSINESS:**

Amanda Frantz-Mamani moved to approve Resolution 7-2023:

**BOROUGH OF EDINBORO  
RESOLUTION NO. 7-2023**

**Erie County Gaming Revenue Authority (ECGRA)  
Proclamation**

**A RESOLUTION**, of the Home Rule Borough of Edinboro, Erie County, Pennsylvania.

**WHEREAS**, ECGRA was created by Erie County Council to oversee and administer gaming revenue on behalf of Erie County government for the purposes of economic and community development; and

**WHEREAS**, ECGRA has created grant and loan programs that catalyze progress in the small business, nonprofit, and local government sectors; and

**WHEREAS**, ECGRA's mission of economic and community development recognizes the importance of reinvigorating neighborhoods, main street corridors, combating blight, and maintaining a strong housing market; and

**WHEREAS**, ECGRA's mission of economic and community development recognizes the importance of local government in developing a strong economy and community; and

**WHEREAS**, ECGRA has been professionally managed, maintaining a fair, transparent, and accountable grant making process; and

**WHEREAS**, the Borough of Edinboro has received over \$600,000 in ECGRA grant funding to date, improving the quality of life for residents and businesses; and

**WHEREAS**, the Borough of Edinboro recognizes the financial, economic, social, and cultural benefits of ECGRA on its 15th birthday and seeks to support its existence into the future.

***NOW, THEREFORE, BE IT RESOLVED** by the members of the Borough Council, that the above is hereby proclaimed in recognition of the contributions ECGRA has made in the Borough of Edinboro.*

**ADOPTED** this 12<sup>th</sup> day of June, 2023.

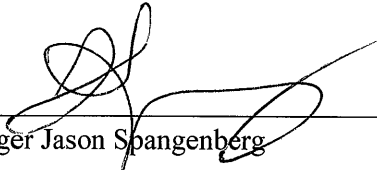
Mary Ann Horne seconded, and the motion passed by 5-0 roll call vote: Amanda Frantz-Mamani, yes; Mark Eisert, yes; Mary Ann Horne, yes; Pat Davis, yes; and Aaron Gast, yes.

Mark Eisert moved to approve the event permit for the Edinboro Market Farm to Table Dinner in August. Mary Ann Horne seconded. Manager Spangenberg stated that the application included a request to allow BYOB of beer and wine for this ticketed dinner in Nature's Outlet park. After brief discussion, Mary Ann Horne moved to allow BYOB of beer and wine as part of the permit. Mayor Gast seconded, and the motion passed 5-0. Mr. Spangenberg noted that the date would tentatively be August 20, dependent upon the Nature's Outlet project happening later this year.

**ADJOURNMENT:**

Mayor Gast moved for adjournment, and the meeting was adjourned at 7:01 PM.

ATTEST:

  
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Manager Jason Spangenberg

  
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Mayor Aaron Gast