

NORRISTOWN MUNICIPALITY
COUNCIL WORK SESSION MINUTES
MAY 21, 2024

The Council Work Session of Tuesday, May 21, 2024 was called to order by Council President, Thomas Lepera, at 6:30 PM in Municipal Hall Chambers, 235 East Airy Street, Norristown, PA.

There was a **Moment of Silence** followed by the **Pledge of Allegiance**.

The following Council members were in attendance:

Rebecca Smith
Rashaad Bates
Tiffani Hendley
Lauren Hughes
William McCoy
Dustin Queenan
Thomas Lepera

Also in attendance were:

Acting Municipal Administrator, Fire Chief Thomas O'Donnell; Sean Kilkenny, Municipal Solicitor; Jayne Musonye, Director of Planning and Municipal Development; Kathy Pfister, Director of Finance; Thomas Odenigbo, Director of Public Works; Richard Lockhart, Assistant Fire Chief; Bri'Ana Hawkins, Recreation Director; Amrinder Singh, Code Enforcement Manager; Khal Hassan, Pennoni Engineering.

APPROVAL OF MINUTES

There was a **motion by Councilwoman Hendley, seconded by Councilwoman Smith**, to approve the Minutes of the May 7, 2024 Council Meeting. **The motion passed unanimously.**

EXECUTIVE SESSION ANNOUNCEMENT

Council President Lepera announced that Council met in Executive Session prior to the Council Meeting to discuss litigation issues.

PRESENTATIONS

Citizens' Leadership Academy

Kevin Tustin, Public Information Officer, announced that this is the 10th year of the Citizens' Leadership Academy. He said he enjoyed helping the residents of the Academy to learn about local government.

He presented the Academy graduates that were present with Certificates.

He said he is looking forward to working with the next group of the Citizens' Leadership Academy.

Brian Jimenez from State Rep Scott's office also presented the graduates with certificates.

Kevin Tustin announced that he is developing a Spanish-only program. He said there will be more information available in August.

Elmwood Park Zoo Presentation

Al Zone, Elmwood Park Zoo Director, announced that there will be a ribbon-cutting ceremony on May 31, 2024 at 9 am.

Mr. Zone provided a construction update noting that the EP Zoo plans on collaborating with Adopt A Park.

He conducted a Power Point presentation which showed the inside of the new Welcome Center. He added that the Zoo was nominated for the best Zoo Welcome Center entrance.

The Power Point highlighted the Golden Tamarin Lion Exhibit, a Coffee and Gift Shop and the Frank & Paige Engro Vet Health Center. He noted the EP Zoo is one of only 3 Vet Hospitals that have CT Scans. He said there will be a Vet Tech Program for High School students.

Other highlights include Centennial Plaza and a Conference Room.

He added that they will submit for animal topiaries, swales for stormwater management and a renovation of Old Latshaw Road.

ANNOUNCEMENTS

May 23rd – 40th Anniversary of the Literary Council of Norristown.

PUBLIC COMMENT

Olivia Brady, 728 Stanbridge Street – Ms. Brady noted that many of the surrounding areas have banned plastic bags and asked Council if the Municipality could join these areas and ban plastic bags which would help with litter.

Omar Infante, 1346 Arch Street – Mr. Infante asked about the lighting standards in the Municipality because he said he received a fine for an LED light outside his business. He asked if Council could look into it.

Denisse Agurto, 335 West Marshall Street – She complained about a form letter received from the Norristown Police Department which is sent to those complaining about a crime incident and also seeking a new Visa application. She said they are mainly denied their Visa application.

BUILDING & CODE COMPLIANCE

Withdrawal of Demolition Application for 35 East Airy Street

Amrinder Singh, Building & Code Manager, informed Council that Montgomery County submitted a letter in April 2024 to withdraw their Demolition Application for 35 East Airy Street.

Resolution 24-58: Third Party UCC Services

Mr. Singh told Council that the rate was \$65 per hour since 2012 and will increase to \$94 per hour and will not affect the budget.

There was a **motion by Councilman Bates, seconded by Councilwoman Hughes**, to renew the contract with Code Inspections, Inc. for Third Party Uniform Construction Code Services in compliance with Section 7-713 of the Home Rule Charter and Section 4-35(A)(6) of the Administrative Code which states, "All contracts in excess of \$21,000 shall be in writing and shall be awarded by Municipal Council, and the contract shall be executed by the Municipal Administrator." **The motion passed unanimously.**

MUNICIPAL ADMINISTRATOR

Resolution 24-35: Request for Municipal Council approval for Surplus Municipal Vehicles and Property to be offered for Public Auction

Thomas O'Donnell provided an explanation.

There was a **motion by Councilman McCoy, seconded by Councilwoman Smith**, to approve four surplus vehicles to be listed for public auction on Municibid's website as required by Municipal Code 4-36. **The motion passed unanimously.**

Resolution 24-56: Request for Municipal Council approval to waive Ordinance 18-01 preventing Food Trucks on Municipal Rights of Way and restrictions of alcohol sales for vendors participating in Municipal Special Events

There was a **motion by Councilwoman Hendley, seconded by Councilman Bates**, to approve Resolution 24-56 to waive Ordinance 18-01, allowing Food Trucks access to Municipal Rights of Way and waive restrictions related to alcohol sales for vendors participating in seasonal Municipal Special Events as detailed in the 2024 Calendar of Events. **The motion passed unanimously.**

Resolution 24-57: Request for Municipal Council to approve an agreement in the amount of \$32,666 with Hartman Executive Advisors for IT Consulting Services

Thomas O'Donnell explained there is a need to replace the current IT firm due to performance issues. He noted that an RFP (Request for Proposal) is being developed. He said they need to find a firm to be a consultant.

Councilman Queenan suggested waiting for the new Administrator.

Councilwoman Smith commented that waiting may influence best practices.

There was a **motion by Council Vice President Queenan, seconded by Councilman Bates**, to table agenda item Resolution 24-57. The Roll Call Vote resulted in:

Rebecca Smith	No
Rashaad Bates	Yes
Tiffani Hendley	Yes
William McCoy	No
Lauren Hughes	No
Dustin Queenan	Yes
Thomas Lepera	No

The motion fails 4 No, 3 Yes.

There was a **motion by Councilwoman Smith, seconded by Councilwoman Hughes**, to approve an agreement with Hartman Executive Advisors for IT Consulting Services. The Roll Call Vote resulted in:

Rebecca Smith	Yes
Rashaad Bates	No
Tiffani Hendley	No
William McCoy	Yes
Lauren Hughes	Yes
Dustin Queenan	No
Thomas Lepera	Yes

The motion passes 4 Yes, 3 No.

Resolution 24-59: Request for Municipal Council to approve the purchase of a Lift from Automotive Lift Service in the amount of \$25,551.31

There was a **motion by Councilman Bates, seconded by Councilman McCoy**, to approve the purchase of a Lift from Automotive Lift Service due to the failed inspection of the current Lift. **The motion passed unanimously.**

Motion for Municipal Council to authorize the Solicitor's Office to appeal the Zoning Hearing Board's Order of May 6, 2024, granting Relief to 1729 Markley Street, Gold Rush Skills, LLC

Solicitor Kilkenny explained that this came about after the Executive Session from the last meeting. He said it's for a limited downtown Casino. He said it can be appealed to the Court of Common Pleas.

There was a **motion by Councilwoman Hughes, seconded by Councilwoman Hendley**, to authorize the Solicitor's Office to appeal the Zoning Hearing Board's Order of May 6, 2024 granting Relief to 1729 Markley Street, Gold Rush Skills, LLC. **The motion passed unanimously.**

Motion for Municipal Council to authorize a Priority Waiver from Section 133-3(11) of the Norristown Code Ordinances, to authorize Spohn Ranch and its subcontractors to use 50% Craft Laborers for the Poley Skatepark Project

Solicitor Kilkenny said that this requires an apprenticeship because it is a specialized project. He said he recommends the Waiver.

There was a **motion by Councilman Bates, seconded by Councilman McCoy**, to authorize a Priority Waiver from Section 133-3(11) of the Norristown Code Ordinances, to authorize Spohn Ranch and its subcontractors to use 50% Craft Laborers for the Poley Skatepark Project. **The motion passed unanimously.**

PLANNING & MUNICIPAL DEVELOPMENT

Resolution 24-48: request for Preliminary/Final Land Development approval for 1020 Violet Street by ABP Investments, Inc.

Director Jayne Musonye provided some background information about this project. She noted that this project involves a single lot which will be subdivided. She said that the applicant submitted an application in February 2024 which was approved by the Fire Marshall and the Norristown Planning Commission. She noted that the Municipal Engineer is present to answer any questions. She added that the Engineer completed a Review Letter dated May 15, 2024.

The applicant presented a Power Point which highlighted the additional Waivers. He said they are keeping with the area. He noted that the Design Review Board approved the design and he said he will comply with the Engineer's Review Letter.

Based on a question from Councilman Bates regarding planting trees somewhere else instead of the paying the fee, Director Musonye said that Council has the option.

The applicant noted that there is parking in the rear and there is a shared agreement with the residents. He said there are 2 spaces per home.

There was a **motion by Councilwoman Smith, seconded by Councilwoman Hendley**, to approve Resolution 24-48, granting Preliminary/Final Land Development to ABP Investments, Inc. for the subdivision and development of 1020 Violet Street as five (5) rowhouse units. **The motion passed unanimously.**

Presentation and request to accept LERTA Application for Elon at Montgomery Park Phase III (1301 Powell Street)

Director Musonye explained LERTA and noted that the Developer is present. She stated that Phase I LERTA was approved on June 1, 2020 and a Land Development application was submitted on February 23, 2021. She explained that there is stormwater management, parking, utilities and lighting on the site. She said that all 3 taxing bodies (School District, County and Municipality) must approve the LERTA application. She recommended to Council to accept the LERTA application for Elon at Montgomery Park Phase III and this can be shared with the other 2 taxing bodies.

Council President Lepera commented that issues with the other 2 buildings (Phase I and II) were resolved and he feels that Seniors are prioritized.

There was a **motion by Councilwoman Hughes, seconded by Councilwoman Smith**, to accept the LERTA application for Elon at Montgomery Park Phase III based on the materials presented by the Developer. **The motion passed unanimously.**

Ordinance 24-01: Request authorization to advertise Ordinance 24-01 to amend Chapter 320 Zoning of the Municipal Code Section 320-182A(5) to increase the maximum impervious surface for a Zoo Use, either alone or in combination with other Uses, in the RE Recreation District from 10% to 40%

Director Musonye stated that this needs to be possible. She noted there is usually an issue in the RE District with parks. She noted that Planning has no issue with this. She commented that this is not an extraordinary request. She shared that the Master Plan was submitted in February 2019 and June 2022. In March 2023, Resolution 23-18 was approved for the Preliminary/Final for Phase I.

Councilwoman Smith noted that 40% is a big jump in a flood zone. She asked about stormwater plans. Mr. Al Zone responded that there is a 9,000 gallon water retention basin in place.

There was a **motion by Councilman Bates, seconded by Councilwoman Smith**, to approve the advertisement of Ordinance 24-01 to amend Chapter 320 Zoning of the Municipal Code Section 320-182A(5) to increase the maximum impervious surface for a Zoo Use, either alone or in combination with other Uses, in the RE Recreation District from 10% to 40%. **The motion passed unanimously.**

Ordinance 24-02: request authorization to advertise Ordinance 24-02 to amend Chapter 320 Zoning of the Municipal Code to create subsection 320-247A(8) increasing the maximum height of fences, freestanding walls and retaining walls for a Zoo Use in the RE Recreation District

Director Musonye explained that the Zoo needs higher fences and walls. The Attorney representing the Zoo noted that the standard is 8 feet high but they are asking for 20 feet for the retaining walls.

There was a **motion by Councilman McCoy, seconded by Councilman Bates**, to approve the advertisement of Ordinance 24-02 to increase the maximum height of fences and walls in the RE Recreation District for Zoo Use to be in compliance with the accreditation standards of the Association of Zoos and Aquariums (AZA). **The motion passed unanimously.**

DEPARTMENTAL REPORTS

Monthly Update to Council: Presenting Department – Finance

Director Phister presented a Power Point highlighting the 2023 Financial Results noting the Revenues versus the Budget. She also explained the Revenue from the Budget Summary for December 2023 which includes RE Taxes,

Act 511, Federal, State and Local Taxes. Revenue excludes Trash and Expenditures include salaries and benefits for Police, Public Works and Code employees. She noted there are staffing shortages.

ADJOURNMENT

There was a **motion by Councilman Bates, seconded by Councilwoman Smith**, to adjourn the Council Work Session. **The motion passed unanimously.**

Respectfully submitted,

Roseann M. Santangelo