

INDIANA: Residents air complaints to council

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From speeding on residential streets to a perceived invasion of privacy during inspections of rental properties, Indiana Borough residents aired concerns with borough council Tuesday during an informal town hall-style meeting.

Chuck Sickles, 1011 Chestnut St., objected to another upcoming inspection of his rented residence.

``We've been there 20 years. This will be the third time it's been inspected," he said.

Sickles said he regards the inspection of rental properties as an invasion of his privacy and it will require him to take a day off work.

``I feel very offended. I don't like this at all," said his wife, Nancy, adding that the couple has a dog that doesn't like strangers. ``If someone owns their home, you don't come in to see if they're safe."

David Kirk, director of the Code and Zoning Department, said occupants don't have to be home during an inspection. Landlords often let inspectors in.

The inspections of rental properties - intended to ensure that properties are not only in good repair but are safe for the occupants and for occupants of neighboring properties - are conducted every three or four years. Alan Haycock, 658 Grant St., who addressed council two weeks ago to complain about what he said was shoddy workmanship in some aspects of the borough's Elm Street Project, said he and his neighbors are glad the project is nearly completed and they are pleased with the repaving of their street.

``The pavers did a superb job," he said. But the street is now so smooth that speeding is a problem.

His suggestions for slowing traffic through the neighborhood were to impose four-way stops at a couple of intersections, or post more 25 mph speed limit signs.

He also asked if the borough police department could post an officer there.

``I will keep him supplied with coffee and doughnuts," Haycock said, adding that one officer undoubtedly could write enough speeding tickets to generate \$600 an hour in fines for the borough.

``It would be easy money," he said.

Then, more seriously, he added, ``Help us before someone gets injured."

Police Chief William Sutton said he appreciates receiving such input from borough residents on where trouble spots are developing.

``We are a phone call away," Sutton said. ``There are a few of us and a lot of you."

All streets in Indiana have a speed limit of 25 mph, but not all streets are posted because of the cost of the signs, Sutton said.

Rebecca Oswald, 1024 Water St., said speeding is also especially bad near her home late in the evenings.

Erik Somerville, 630 Grant St., who described himself as a beneficiary of the Elm Street Project, also voiced concerns about the quality of some of the work done. Ruts remain in his yard from heavy equipment, not enough soil was replaced near some new sections of sidewalk, and near the bridge over Marsh Run there is a 12-inch drop along the sidewalk that is not visible after dark.

Somerville said several residents have been unable to get satisfactory answers to questions about when the problems will be corrected.

In response, David Fairman, the borough's public works director, said contractors will come back in early fall to do more back-filling and to re-seed areas where grass did not grow.

Jim Wakefield, 209 Papermill Ave., told council he has collected 562 signatures on a petition asking council to formally request Indiana University of Pennsylvania administrators to reopen South 11th Street between Oakland Avenue and Grant Street for safety and convenience reasons. The university owns that one-block section of 11th Street.

Wakefield intends to collect more signatures and present the petition to council at its August meeting.

Councilman Richard Thorell said that three times in the past dozen or so years he's sent his concerns about the 11th Street closing, in writing, to IUP officials, and in each instance there was no response.

Campus administrators, he said, have shown no interest in borough residents' opposition to the street closing.

J.D. Varner, 420 Oak St., asked council to consider an ordinance requiring a public hearing before a taxable property in the borough is sold to a tax-exempt entity.

He also suggested that the borough ask utility companies to stop cutting deep "U" shapes in the tops of trees to allow wires to pass through them.

"Just take them (the trees) down" and replace them with trees that won't grow into the wires, he suggested.

Varner then asked council if it had any objection to a deal he said he was brokering between Ed Bratton, owner of the Giant Eagle market, and the owners of Mindsight, the Indiana-based sign company that earlier this year was ordered to remove two electronic message centers from the outside of the building at 700 Philadelphia St.

Varner said that under the arrangement, a nonworking electronic sign owned by Giant Eagle and near the market would be taken down and replaced with a Mindsight sign.

When asked what messages would be on the sign, Varner replied that it would display the same types of messages - advertising for other businesses and community service announcements - that Mindsight's message boards carried when they were operating at 700 Philadelphia St.

Advertising for a business other than the one where the sign is located is known as off-premise advertising and is a violation of the borough's sign ordinance, said borough Manager Ken Gabler.

Varner then returned to a complaint against council he has made several times in recent months. Council, he charged, is unevenly enforcing the sign ordinance by denying Mindsight permission to operate its electronic message centers while electronic signs at Indiana First Bank and Agway and on the Renda Building continue to operate.

"How did these permissions get granted?" Varner asked. "Is there no one sitting on this council that sees this as a discriminatory action?"

Gabler said it is not the lights or the frequently changing messages of the electronic signs that has put them in violation of the sign ordinance, but rather the issue of off-premise advertising.

According to Gabler, the owners of the Renda Building were cited for violating the sign ordinance, and the citation was appealed to the Zoning Hearing Board. A hearing was held but a ruling has not been issued, Gabler said. And because the scrolling message center on the Renda Building is being "adjudicated," council cannot discuss it in public, Gabler said.

Doug Varner, the active business partner in Mindsight and J.D. Varner's son, recapped the events leading up to the mandate from the borough to take the electronic message boards down.

He contended again that he did everything he was asked to do during the process of getting permits for the message centers, but "flip-flopping" on the part of borough administrators, coupled with the pressure of \$500-a-day fines, forced him to drop his legal challenge to keep the Mindsight signs turned on.

"What else could I really do?" he asked.

But he encouraged council not to think of electronic signs as a blight.

Sharon Varner, Doug's wife, said that in earlier surveys a majority of downtown businesses responding and the majority of phone calls to the Code and Zoning office were in favor of allowing electronic signs in the downtown

business district.

``If you're really the voice of the community, you need to listen to the community," she said.

The borough's planning commission is crafting a new sign ordinance that will, among other things, dictate in which zones of the borough electronic signs may be displayed, and in which zones signs with off-premise advertising will be allowed.

That new ordinance may be approved for advertising at council's Aug. 4 meeting, and may come up for a vote in September.

Council president Tom Fruehstorfer said if the proposed sign ordinance is approved for advertising next month, a public hearing will be held before the September meeting to give borough residents and business owners a final chance to sway council's decision.

``Personally, I really don't know how this community feels about it," Fruehstorfer said.