

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

APRIL 15, 2013

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, April 15, 2013 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council on April 11, 2013, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG**MOMENT OF SILENCE**

A moment of silence was observed for the Boston Marathon tragedy.

ROLL CALL

Present: Mayor Sally Geyer, Daniel Hepner, Gary Anderson, Richard Dornisch, Bob Roberts, Nedward Jacob, Gregory Gebauer, Manager David Greene and Solicitor Thomas Wagner.

VISITORS

Visitors included: Herbert Straub, Bob Howard, Steve Bagley, Jim Dornisch, Jeff Dornisch, Doty McDowell, Amy Cherry, Tina Gradizzi, Grace Jesberger, Paul Jesberger, John Dippold, Katie Weidenboerner, Steve Michuck, Yvonne Michuck, Rev. Chris Kindel, and Warren Stewart.

APPROVAL OF MINUTES

April 1, 2013

Gary Anderson made a motion to approve the minutes of April 1, 2013, seconded by Nedward Jacob and all were in favor.

REPORT ON EXECUTIVE SESSION

Mayor Geyer stated an Executive Session was held immediately following the April 1st, 2013 Council meeting regarding real estate matters. No decisions were made.

CITIZEN COMMENTS ON AGENDA TOPICS

Doty McDowell from the PA Game Commission approached to speak to Council regarding the trapping near City parks agenda item. He explained there is a 150 yard safety zone for any hunting or trapping that would apply within the City limits. There are also restrictions for parks but some posting may be required if the area is outside the 150 yard safety zone and within the park.

MANAGER'S REPORT

March 20- Attended the CEDS meeting held at the North Central offices in Ridgway.

March 21- Attended the Northern Tier Community Action Corp. Board of Directors meeting held in Emporium.

March 27- Met with a local industry about the possibility of expanding their company into the St Marys Airport Industrial Park.

March 27- Attended the PennDOT Route 255 reconstruction meeting held at the South St. Marys Elementary School.

April 4- Met with an individual who is interested in office space in the downtown area to open a new business.

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April 8- Patrolman Shaffer has successfully completed his Civil Service testing and has been promoted to Sergeant.

April 9- Matt Pfeufer and the Manager met with representatives from Lee-Simpson and Associates to discuss various projects throughout the City.

April 10- Councilman Roberts and the Manager attended the PML Northwest league meeting held in Farrell PA.

April 11- Attended the East Branch Dam Status Report Meeting held at the park

SOLICITOR'S REPORT

Solicitor Wagner requested Council hold an Executive Session at the end of tonight's meeting regarding real estate matters.

APPROVAL OF EXPENDITURES

Motion

Richard Dornisch made a motion to approve the Expenditures from March 17, 2013 until April 13, 2013, seconded by Bob Roberts.

Questions

Gary Anderson questioned a line item regarding Elco Electric and Manager Greene responded it was a partial payment for the solar lighting at the Parking garage.

The final payment would be made after the State of PA reimburses the City for the first payment.

Nedward Jacob stated the City received a check and had other money available in the checkbook to make the first payment to Elco Electric.

Richard Dornisch questioned a line item regarding payment to SEDA COG and Tina Gradizzi explained it was for a multi-county training session for contractors held at North Central.

Gregory Gebauer questioned a line item regarding payment to Eckerts, Seamans Company and Manager Greene responded it was for legal services.

Nedward Jacob questioned a line item regarding General Code and Manager Greene explained it was for the annual update of the City's Code Book.

All were in favor to approve the Expenditures.

Motion Passed

TREASURER'S REPORT

Mayor Geyer gave the following Treasurer's Report as of March 31, 2013:

The City was at the end of the first quarter of 2013 and had collected 21.4 percent of revenue and expensed 20.3 percent of the budget for the General Fund. Last year at his time we received in revenue 17.8 percent of budget for the General Fund and spent 22 percent of its budget. The City had collected 34 percent of its budgeted amount for Earned Income and 19.6 percent for Real Estate taxes. Last year the City collected 21 percent of its budget for Earned Income and 18 percent

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for Real Estate taxes. In 2011 the City collected 26.24 percent in Earned Income and 16.36 percent in Real Estate taxes. The Sewage Treatment Fund collected 20 percent of revenue budgeted and expensed 16.3 percent for 2012. In 2011 budget revenue was at 24.8 percent and expenditures were 19.4 percent and in 2010 budgeted revenue was 25 percent and expenditures were 16 percent of budgeted amounts. Market values for the pension plans continue to increase. On April 1, 2013 the City received \$333,002 from the PA Treasury Department for the Liquid Fuels Tax allocation.

LEGISLATIVE ACTION:**Consider for adoption:**

Resolution No. 13-5, re: Fee Schedule

Resolution No. 13-5 was presented for adoption setting a schedule of fees, rates and charges for various activities conducted in the City of St. Marys.

Motion Passed

Daniel Hepner made a motion to adopt Resolution No. 13-5, seconded by Nedward Jacob and all were in favor.

Resolution No. 13-6, re: Elk County Liquid fuel allocation application

Resolution No. 13-6 was presented for adoption applying to the County of Elk for an allocation of County Liquid Fuels Tax funds in the amount of \$8,000 to purchase 408.163 tons of 1b limestone.

Motion Passed

Richard Dornisch made a motion to approve Resolution No. 13-6, seconded by Gary Anderson and all were in favor.

Resolution No. 13-7, re: HOME Grant Application First Time Homebuyer Program

Resolution No. 13-7 was presented for adoption applying for a grant application in the amount of \$350,000 to the PA Department of Community and Economic Development Department to be used towards a First Time Homebuyer Program.

Tina Gradizzi Community and Economic Development Coordinator explained the City had administered a housing rehabilitation program since 2005 with HOME program funding. Since then about 1.2 million of projects have been completed. After reviewing statistics and local demographics a need for the First Time Homebuyer Program was indicated. The program would assist eligible first time homebuyers with their down payment and closing costs.

Motion Passed

Bob Roberts made a motion to approve Resolution No. 13-7, seconded by Nedward Jacob and all were in favor.

Resolution No. 13-8, re: Keystone Communities Development Grant Depot Street Land Improvement Project

Resolution No. 13-8 was presented for adoption filing a grant application in the amount of \$488,000 to the PA Department of Community and Economic Development Department to be used toward acquisition, demolition and clearance and all costs related to Depot Street Land Improvement Project.

Tina Gradizzi, Community and Economic Development Coordinator, explained Depot Street was within the City's redevelopment district and enterprise zone. The grant would help make the area more desirable to a developer.

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Manager Greene further explained the grant would not cover 100 percent of the costs but could attract a developer.

Council briefly discussed the application and had concerns with the City's current developer being involved or being entitled to any monies according to the current developer contract.

Motion

Nedward Jacob made a motion to table the Resolution 13-8 seconded by Richard Dornisch.

Discussion

Gregory Gebauer questioned if once more information was obtained it would then be placed back on the agenda and Nedward Jacob responded yes.

Gary Anderson questioned if the Solicitor could review Council's concerns with the current City Developer having any "claim to it" before it was brought back to Council?

Amended Motion

Nedward Jacob amended his motion to include a review by the Solicitor, seconded by Richard Dornisch.

Comment

Gregory Gebauer wanted to be certain the City's current developer did not get a penny of the money.

All were in favor to table Resolution No. 13-8.

Amended Motion Passed- Tabled

Request for Use of the Diamond

Manager Greene explained a request for use of the Diamond was received from the St. Marys Ministerial Association.

Reverend Chris Kindle explained the request was for the National Day of Prayer event.

Motion

Daniel Hepner made a motion to approve the following requests:

Details

Use of the Diamond on May 2, 2013 beginning at 6:00 p.m.

Free Parking on May 2, 2013 beginning at 5:00 p.m. until 8:00 p.m.

Motion Passed

Seconded by Gary Anderson and all were in favor.

Requests from "Outhouse Races"

Manager Greene explained a letter was received from Kevin O'Leary for the 4th Annual Kick the Crap Out of MS Outhouse Races with the following request:

The event will be held on Saturday, June 8, 2013 with the closure of a portion of Market Street, from the entrance to the municipal parking lot to the top end of Market Street towards the Diamond, from 1:00 p.m. until 8:00 p.m., to allow for set-up and clean-up.

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The parking meters will be bagged throughout the same above mentioned area.

The Open Container Law has been waived for only the above mentioned area and specified time.

Motion

Richard Dornisch made a motion to approve the above requests, seconded by Bob Roberts.

Discussion

Nedward Jacob stated there had been previous problems with Waiver of the Open Container Law and he believed Council had agreed to stipulate the use of plastic cups when granting the waiver.

Gregory Gebauer stated he had originally suggested the plastic cup stipulation after personally witnessing the broken glass after the "Wing Fling". He believed it made good sense to stipulate having no glass bottles or containers allowed when waiving the Open Container Law.

Richard Dornisch stated there was probably one-fifth as much drinking at this event as compared to other events.

Gregory Gebauer stated it should be a standard that the beer being served is poured into plastic cups. He also suggested the event explore the option of the attendees purchasing a plastic cup.

Mayor Geyer questioned if the stipulation was no glass and no cans?

Gregory Gebauer stated the stipulation was no glass bottles or containers of any kind on the street.

Richard Dornisch commented the stipulation would eliminate a huge amount of container clean up.

Motion Passed

All were in favor to approve the above listed requests.

Gregory Gebauer clarified the motion waiver of the Open Container Law including the stipulation of no glass containers allowed and the use of plastic cups. Council agreed.

Benzinger Township Golf Authority
Loan Guarantee

Mayor Geyer asked if anyone was present to speak for the Golf Authority and Herbert Straub and Jim Dornisch approached. Mr. Straub explained the Authority was requesting Council approve a loan guarantee with the Bank for the purchase of new equipment.

Council had previously been provided with the Authorities financial information and Mr. Straub provided updated figures.

Mr. Straub stated a list of equipment was also provided to Council.

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Mr. Dornish provided a detailed explanation of why the equipment was needed and the cost savings it would provide.

Council, Mr. Straub and Mr. Dornisch had a lengthy discussion regarding the request and had numerous concerns. Council agreed more financial information was needed.

Daniel Hepner volunteered to review the financial information with the Authority.

Solicitor Wagner stated in order to proceed with the request Council would have to take action at a formal meeting. He requested Council give authorization for him to proceed with the paperwork and a Special meeting could then be scheduled.

Motion

Bob Roberts made a motion to permit Daniel Hepner to review the financial information and to permit the Solicitor to prepare the paperwork, seconded by Gary Anderson.

Discussion

Gregory Gebauer questioned if there should be a committee formed and Bob Roberts responded there would be a committee of one.(Councilman Hepner)

Daniel Hepner stated he was very encouraged by the cost savings that were discussed and believed it could provide a shorter payback for the loan.

Mayor Geyer clarified the motion was to permit Daniel Hepner to work with the Golf Authority and the Solicitor to start the paperwork. Council would then schedule a Special Meeting with the proper advertisement.

Motion Passed

All were in favor of the clarified motion.

Voting Delegate appointment for the PML Annual Conference

Richard Dornisch made a motion to appoint Daniel Hepner as the PML voting delegate and Bob Roberts as the alternate, seconded by Gary Anderson and all were in favor.

TOPICS FOR DISCUSSION:

Bob Roberts explained the Street Department had been using a "brine" salt on a portion of City roads this past winter. He commented he believed the process was successful and reduced the amount of anti-skid cleanup needed. He proposed the process be expanded to the curbed areas of the City and requested a cost analysis.

Gary Anderson questioned if all of the City's paved streets could be included and Bob Roberts responded depending on the cost for the curbed area it was a possible next step.

Richard Dornisch questioned how this process compared with PennDOT's process because of the numerous PennDOT streets within the City.

Bob Roberts responded the City's process was different

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than PennDOT's but thought the City could request PennDOT to utilize "brine" on City Streets.

Manager Greene commented Emporium already had PennDOT using brine on their streets.

Bob Roberts commented if PennDOT agreed it would eliminate most of the dirt throughout the downtown.

Bob Roberts and Manager Greene discussed the current amount of equipment the City already had.

Manager Greene stated he would obtain the cost to expand to curbed areas and all of the paved roads.

Gregory Gebauer asked what the Street Superintendent thought of the process and Bob Roberts responded there were operational problems that should be able to be resolved with proper training.

Nedward Jacob asked what the actual cost savings were and Bob Roberts responded he was also asking for that information.

Council discussed the areas that brine was used and where it was not used.

Trapping near City parks

Mayor Geyer stated the PA Commission had presented information earlier in the meeting and questioned if Council needed anything further.

Richard Dornisch commented he believed there were enough statues already in place.

Jeff Dornisch, President of the local chapter of the Trappers Association, commented he believed the Game Commission representative had given a thorough explanation of the current laws for trapping. He agreed the 150 yard safety zone was sufficient. He also offered to provide further information if Council was interested.

**CITIZEN COMMENTS
ON NON-AGENDA TOPICS**

Steve Michuck presented a map regarding Washington Street right of ways and subdivisions.

COUNCIL COMMENTS

Councilman Gebauer questioned why there were numerous issues with parking meters on the Complaint report and Manager Greene responded he had an updated report which showed most of the issues were now resolved.

Councilman Gebauer questioned if the stickers were placed on the parking meters and Manager Greene responded some were already in place.

Councilman Dornisch commented on the confusion regarding handicapped parking spaces in the Market Street municipal parking lot.

Mayor Geyer congratulated Officer Shaffer for his recent promotion to Sergeant.

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Mayor Geyer also announced a "Woofstock" event would be held on Saturday, April 20th with various activities from 4:00 p.m. until midnight to benefit the Elk County Humane Society.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- The next Council worksession will be held Monday, May 6, 2013 at 7:00 p.m. at City Hall.
- Spring Clean-Up Day will be held Saturday, May 4th, 2013 from 8:00 a.m. until 2:00 p.m. at the City Garage on Graphite Road.

**EXECUTIVE SESSION HELD
8:10 p.m.**

Mayor Geyer announced Council would now hold an Executive Session regarding Real Estate matters and the meeting would reconvene.

RECONVENED at 8:30 p.m.

Mayor Geyer stated Council had now reconvened from an Executive Session regarding Real Estate matters. No Decisions were made.

PNC Bank Lease (added to agenda)

Solicitor Wagner stated an offer was received from PNC Bank to terminate their current lease with the City regarding their branch office located on the first floor of City Hall. The termination would be effective with the bank vacating the premises as of August 1, 2013. He recommended Council accept PNC Bank's offer to terminate the lease.

Motion Passed

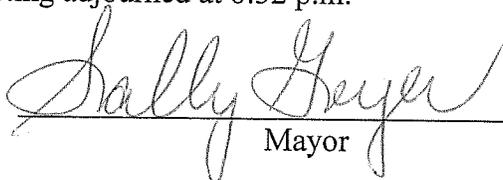
Nedward Jacob made a motion to accept the offer from PNC to terminate their lease with the City, seconded by Richard Dornisch and all were in favor.

ADJOURNMENT

Gary Anderson made a motion to adjourn the meeting. Meeting adjourned at 8:32 p.m.



Recording Secretary



Mayor