

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

233

August 20, 2007

- CALL TO ORDER** The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, August 20, 2007 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of the meeting was sent to Council on August 16, 2007, posted at City Hall, and published in the Daily Press.
- ROLL CALL** Present: Mayor Sally Geyer, Steven Skok, Thomas Farley, Mark Kopp, Richard Dornisch, Sean Gabler, City Manager David Greene, and Solicitor Stephen French
- Absent: Dennis Nero (excused)
- VISITORS** Visitors included: Matthew Pfeufer, Tina Gradizzi, Katie Weidenboerner, Warren Stewart, Paul Brehm, Ryan J. Vollmer, and Richard Sadley
- APPROVAL OF MINUTES** Sean Gabler made a motion to approve the minutes of August 6, 2007, seconded by Richard Dornisch, and all were in favor, except Steven Skok who abstained.
- CITIZEN COMMENTS ON AGENDA TOPICS** Mayor Geyer asked the citizens, who are present regarding the zoning map change, if they would speak later when the zoning is discussed.
- MANAGER'S REPORT** Manager Greene presented the following report:
- July 16, 2007, Tim Brennan and I met with Dennis Schatz from Quala-Die to discuss the new access road to be built for Quala-Die and Industrial Steel.
  - Met with Shawn Leslie from Mountain Research on July 16, 2007 to discuss soil samples for the new Industrial Steel building.
  - Matt Pfeufer and I met with Bill Sprague and Skip Spiegley from Lee-Simpson Engineers to discuss the Hydraulic Study for Elk Creek. A grant application has been submitted for this project.
  - Attended the Zoning Hearing Board meeting on July 18, 2007.
  - On July 19, 2007, Vic Straub, Ray Klaiber and I attended a breakfast meeting with Senator Scarnati in Emporium.
  - Tina Gradizzi and I met with Senator Scarnati & Tim Nyquist to discuss future projects for the City on July 20, 2007.
  - July 25, 2007, attended NCRPDC's annual dinner.
  - Attended the Elk Co. Transportation meeting on July 26, 2007 at the courthouse.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

August 20, 2007

- Attended a Parking Authority meeting on July 31, 2007 to discuss plans for the Downtown Impact St. Marys project.
- Harry Carr, Ryan Vollmer and I met with Bob Yoder to discuss various items in regards to the new Industrial Steel Building
- Met with Vern Kreckel to review the condition of the parking lot for the Hometown Festival.
- On August 8, 2007, Lee Patterson from Bob Yoder's office and I met with Bob Ayoob to assist the City in the development of the new parking garage.
- August 15th, Mike Mullaney and I met with members of the Shade Tree Commission to discuss future plans and projects for the Commission.
- On August 16, 2007, I attended the Recycling Task Force meeting at City Hall.

**EXPENDITURES REPORT**

Mark Kopp made a motion to approve the Expenditures Report for the period July 13, 2007 thru August 15, 2007, seconded by Thomas Farley, and all were in favor.

**TREASURER'S REPORT**

Mayor Geyer presented the Treasurer's Report as of July 31, 2007. Total revenue collected for the General Fund is at \$4 million, up from last year's \$3.35 million, and in 2005, \$2.9 million. Total expenditures for the General Fund, as of July 31st, is at \$2.6 million, up from last year's \$2.4 million, and in 2005 expenditures were \$2.2 million. Revenues collected for the General Fund is at 74.21% of the budget and expenditures are at 48.5%. Last year, at this time, revenues were at 71% of the budget and expenditures were 49%.

**LEGISLATIVE ACTION**  
**Consider for Adoption**  
 Ordinance No. 234 re:  
 Lease Rental Debt for  
 \$1,061,450.00 for the  
 development of the  
 Airport Industrial  
 Park

Ordinance No. 234 was presented authorizing the incurrence of lease rental debt by the City pursuant to the execution and delivery of a Guaranty Agreement with the St. Marys Airport Authority and the Commonwealth Financing Authority; authorizing the execution and filing of a debt statement and approval request with the Pennsylvania Department of Community and Economic Development.

The Manager explained that the City will guarantee the \$1,061,450.00 loan with the St. Marys Area Airport Authority being the borrower, a grant was also received in the amount of \$1,061,449.00, Solicitor French is preparing the loan documents, and that the State placed a lien on the 118 acres which will be used as collateral for the Airport Industrial Park project.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

August 20, 2007

Mark Kopp made a motion to adopt Ordinance No. 234, seconded by Steven Skok, and all were in favor.

Resolution No. 07-14  
re: Revolving Loan  
Grant Application  
(\$50,000.)

Tina Gradizzi presented Resolution No. 07-14 authorizing the filing of a grant application in the amount of \$50,000. with the Department of Community and Economic Development for grant funds to be used towards a revolving loan fund program for area retail and commercial businesses.

Resolution No. 07-15  
re: Recycling Program  
Grant Application  
(\$50,000.)

Tina Gradizzi presented Resolution No. 07-15 authorizing the filing of a grant application in the amount of \$50,000. with the Department of Community and Economic Development for grant funds to be used towards the operation and administration costs of the City's current recycling programs.

Resolution No. 07-16  
re: Memorial Park  
Pinnacle Project  
Grant Application  
(\$10,000.)

Tina Gradizzi presented Resolution No. 07-16 authorizing the filing of a grant application on behalf of the St. Marys Recreation Board in the amount of \$10,000. with the Department of Community and Economic Development for grant funds to be used towards the "Pinnacle Project" at Memorial Park. She explained that the Pinnacle Project is actually a climbing rock and that the project has been approved by the Recreation Board.

Resolution No. 07-17  
re: Police Computer  
Equipment Grant  
Application  
(\$10,000.)

Tina Gradizzi presented Resolution No. 07-17 authorizing the filing of a grant application on behalf of the St. Marys Police Department in the amount of \$10,000. with the Department of Community and Economic Development for grant funds to be used towards the purchase of new Police computer equipment.

Resolution No. 07-18  
re: Memorial Park  
Pool Project Phase II  
Grant Application  
(\$250,000.)

Tina Gradizzi presented Resolution No. 07-18 authorizing the filing of a grant application on behalf of the St. Marys Recreation Board in the amount of \$250,000. with the Department of Community and Economic Development for grant funds to be used towards the Memorial Park Pool Project Phase II.

Resolution No. 07-19  
re: Jackson Road  
Bridge Grant  
Application  
(\$100,000.)

Tina Gradizzi presented Resolution No. 07-19 authorizing the filing of a grant application in the amount of \$100,000. with the Department of Community and Economic Development for grant funds to be used towards the Jackson Road Bridge Project. She noted the City did bid out the project but that the bid was over the budgeted amount.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

August 20, 2007

Ms. Gradizzi stated all the applications will be hand delivered to Senator Scarnati. She also explained that none of the projects will go forward until the grant monies are received.

Resolution No. 07-14  
Adopted

Sean Gabler made a motion to adopt Resolution No. 07-14, seconded by Mark Kopp, and all were in favor.

Resolution No. 07-15  
Adopted

Steven Skok made a motion to adopt Resolution No. 07-15, seconded by Richard Dornisch, and all were in favor.

Resolution No. 07-16  
Adopted

Mark Kopp made a motion to adopt Resolution No. 07-16, seconded by Sean Gabler, and all were in favor.

Resolution No. 07-17  
Adopted

Thomas Farley made a motion to adopt Resolution No. 07-17, seconded by Steven Skok, and all were in favor.

Resolution No. 07-18  
Adopted

Sean Gabler made a motion to adopt Resolution No. 07-18, seconded by Thomas Farley, and all were in favor.

Resolution No. 07-19  
Adopted

Thomas Farley made a motion to adopt Resolution No. 07-19. The motion was seconded by Mark Kopp.

Richard Dornisch was concerned about the historical status of the bridge with the Pennsylvania Historical Association and with the Game Commission by disturbing the area's habitats.

Thomas Farley stated, as he recalls, just the deck of the bridge will be replaced and that the super structure underneath will not be touched.

After a brief discussion, all were in favor to adopt Resolution No. 07-19.

**Consider for Publication**  
Ordinance No. 235 re:  
Amending Chapter 15,  
Parts 4 and 5 (Sections  
501 & 502 and 402 B)  
of the City Code

Ordinance No. 235 was presented amending various portions of Chapter 15, Parts 4 and 5 (Sections 501 & 502 and Section 402 Part B) of the St. Marys City Code pertaining to on-street metered parking.

Richard Dornisch made a motion to publish Ordinance No. 235, seconded by Thomas Farley, and all were in favor.

**Subdivision Application**  
Ryan J. & Constance A.  
Vollmer, SR 120  
Bucktail Trail

A Subdivision Application was submitted for Ryan J. and Constance A. Vollmer, SR 120 Bucktail Trail. This application subdivides a 5.607 acre lot from a 77 acre parcel. The new lot contains several

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

237

August 20, 2007

buildings including a dwelling with an on-lot sewage disposal system and public water. The residual lot will remain as open space, and a non-building waiver has been submitted.

Thomas Farley made a motion to approve the Vollmer Subdivision, seconded by Richard Dornisch, and all were in favor.

**Sewage Facilities  
Planning Module  
Application**  
James F. Fedorko,  
Siecker Road

A Sewage Facilities Planning Module Application was submitted for James F. Fedorko, Siecker Road. Component 1 of the PA Department of Environmental Protection Sewage Facilities Planning Module must be approved for the construction of an on-lot sewage disposal facility for a new single family dwelling. The parcel has access to public water, was subdivided prior to zoning, and is presently vacant land.

Richard Dornisch made a motion to approve the Sewage Facilities Planning Module Application, seconded by Mark Kopp, and all were in favor.

**Central Westmoreland  
Council of Government's  
Vehicle Purchasing  
Program re: Annual Fee**

Manager Greene stated, for Council's information, the annual fee for the Central Westmoreland Council of Government's Vehicle Purchasing Program is \$150. He noted the agreement was approved during the last Council meeting.

**TOPICS FOR DISCUSSION**  
**Zoning Map change**  
Corner of West Mill  
and McGill Streets

The St. Marys Planning Commission recommended that three parcels of land on the south side of West Mill Street, in between the railroad tracks and the intersection with McGill Street, be rezoned from "Residential Urban" to "Central Business".

The Planning Commission was approached by a property owner, at that location, to have his lot rezoned because his parcel is used commercially.

The property in question is already abutting downtown businesses. Every time a new business wants to locate at this site, they would have to apply to the Zoning Hearing Board.

Paul Brehm,  
Citizen

Paul Brehm expressed his concerns regarding the rezoning of the three properties. His property is located within the proposed zoning change.

Matthew Pfeufer,  
Zoning Officer

Matthew Pfeufer explained that the two remaining houses would be considered non-conforming uses, if rezoned "Central Business", and any additions to them would need the approval of the St. Marys Zoning Hearing Board.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

August 20, 2007

Sean Gabler stated there are two residences and one business at this location, why inconvenience two individuals for one individual. He felt the two properties should be left alone and just change the one which is a commercial business now.

After a discussion, Sean Gabler made a motion to send the zoning back to the Planning Commission with the recommendation that we only approve changing the zoning for the one property which is used commercially. The motion was seconded by Richard Dornisch and all were in favor. (Parcel No. 13-13-236-6429 on West Mill Street would be rezoned "Central Business")

**Recycling Plan**

Manager Greene stated a proposal for curbside recycling has been received from the Recycling Task Force Committee. The proposal expands the curbside program to include additional areas which would be an increase of 454 households and to collect three materials at curbside as mandated by DEP.

A lengthy discussion followed regarding which three items to recycle.

Sean Gabler felt the City's job is to figure out how we are going to meet DEP's standards in the most financially feasible way using tax payer's dollars. He stated if DEP was concerned with a successful recycling program, they would allow the City to have drop-offs to supplement the curbside program.

Thomas Farley stated tax payer's money should not be used for recycling, but rather a "user fee" of approximately \$2.00 a month should be placed on the residents using the service. He noted there are about 2,000 residences that are not going to have curbside recycling, yet they have to pay, through millage, for a service they do not receive.

A further discussion was held regarding possibly billing for the recycling services.

The Manager also noted the Recycling Task Force Committee would like approval to advertise for bids to sell the 1992 recycling truck, which currently is not being used.

**Motion made to bid out 1992 Recycling Truck**

Mark Kopp made a motion to bid out the 1992 recycling truck, seconded by Steven Skok, and all were in favor.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

239

August 20, 2007

The possibility of circuit riders was discussed for residents who do not have curbside service. Collection days would have to be determined plus who will man these sites?

Richard Dornisch stated the City should contact the State to find out what items should be recycled.

Mayor Geyer felt the Recycling Task Force Committee should present recommendations to Council on which three items to recycle.

**Jake Brakes**

Manager Greene stated he received phone calls from residents on South St. Marys Street regarding the use of "Jake Brakes" by tractor-trailers. He noted the City would have to request PennDOT to have a traffic study performed to see if it warrants an ordinance and signs placed in that area. The City would also have to assume some liability.

Solicitor French stated measuring the noise would involve purchasing expensive decibel equipment. The Police would have to be present when the brake is being used. Therefore, enforcing becomes very costly.

**CITIZEN COMMENTS ON  
NON-AGENDA TOPICS**

There were no citizen comments on non-agenda topics.

**COUNCIL COMMENTS**

Richard Dornisch requested an update on the Industrial Steel Building.

Manager Greene stated an "Erosion & Sedimentation" Plan has been submitted to Bob Dippold of the Elk County Conservation District. Mountain Research did six soil samples to see if there is any contamination in the soil. These samples all came back negative. There is no contamination. The only hold-up is approval of the E&S Plan by the County.

Thomas Farley stated Council received, in their weekly packet, petitions collected early this year regarding the City's tax millage increase. He suggested that City Staff go through the list of 824 signatures, create a spread sheet, and send to everyone of these individuals, who signed the petitions, a post card when the City's first budget meeting will be held.

**ANNOUNCEMENTS**

Mayor Geyer made the following announcements:  
- Council's September worksession was been rescheduled for Tuesday, September 4, 2007 at 7:00 p.m.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

August 20, 2007

- Rite Aid's ribbon cutting will be held on Thursday, August 23, 2007 at 10:00 a.m. Everyone is invited to attend.

Steven Skok asked to be excused from the September 4th worksession.

ADJOURNMENT

Richard Dornisch made a motion to adjourn the meeting.

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Mayor

Shirley Dicklas  
Recording Secretary