

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 15, 2008

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, December 15, 2008 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 December 11, 2008, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Steven Skok, Richard Dornisch, Richard Gabler, Jr., City Manager David Greene, and City Solicitor Mark Jacob

Absent: Sean Gabler (excused)

VISITORS

Visitors included: Todd Caltagarone, Dan Hepner, Tina Gradizzi, Maryann Gregory, Rita Frey, Richard Sadley, Matt Young, and Francis Cheatle

APPROVAL OF MINUTES
December 1, 2008

Richard Gabler made a motion to approve the minutes of December 1, 2008, seconded by Steven Skok, and all were in favor.

PUBLIC HEARING RE:
CITY'S 2009 BUDGET

Mayor Geyer opened the Public Hearing regarding the City's 2009 Budget at 7:02 p.m. Purpose of hearing is to hear citizen input regarding the budget.

There were no citizen comments on the City's 2009 Budget.

Hearing Closed

The hearing was closed at 7:03 p.m.

PUBLIC HEARING RE:
2009 CDBG PROGRAM

Mayor Geyer opened the Public Hearing regarding the 2009 CDBG Program at 7:04 p.m. and turned the hearing over to Tina Gradizzi, Community & Economic Development Coordinator.

Ms. Gradizzi explained the purpose of this hearing is to provide an explanation of the CDBG program and for citizen participation to present ideas for the development plans of the City. She stated the City received \$363,547. last year and will probably be cut this year by as much as 10%.

There is currently one project that is being proposed for the use of the 2009 funds as follows:

Depot Street

Depot Street reconstruction was a project that has been in the works for several years. The Public Works Department would like funds to reconstruct

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 15, 2008

Phase I from Fourth Street to South Michael Street and, if funds are available, Phase II from Fourth Street to Stackpole Street. The total estimated cost of the Depot Street project in 2006 was \$1,000,000. This project requires a three-year commitment of funding, such as: \$122,215. in 2007; \$298,547. in 2008; and approximately \$298,000. in 2009. Administration costs will be 18%.

Ms. Gradizzi noted a second public hearing will be held on January 19, 2009 during the regular Council meeting for the final review of the project(s) that are selected. The City would like to submit their 2009 CDBG application to PA DCED by March 3, 2009.

Mayor Geyer commended Ms. Gradizzi for bringing a lot of money to the City.

Citizen Comments

There were no citizen comments regarding the 2009 CDBG application.

Hearing Closed

The hearing was closed at 7:06 p.m.

CITIZEN COMMENTS ON
AGENDA TOPICS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

Manager Greene presented the following report:

- November 21st, the Mayor and I met with representatives from the Airport Authority to sign the loan documents for the terminal building.
- December 3rd, Carol Muhitch and I met with Mark Jacob to discuss union negotiations.
- On December 8th, Tina Gradizzi and I met with Karl Heglund from Urban Design Ventures to discuss the Section 108 loan program. Urban Design Ventures has been hired by DCED to complete the loan application with the City and DCED. Mr. Heglund will be attending the next Section 108 Public Hearing to discuss the loan program at the end of January or the beginning of February.
- December 9th, I met with Bob Ayoob, from Thomas and Williamson, to review documents relating to the \$4,000,000. match money for the Parking Garage project. The Marienstadt Senior Housing Complex is part of the match.

Dennis Nero clarified that the City is not loaning the money to the Airport, we are only guaranteeing a loan. The Manager added the City only let the

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 15, 2008

Authority use the land, which the Terminal Building sets on, as collateral for their loan with First Commonwealth Bank.

APPROVAL OF EXPENDITURES

Thomas Farley made a motion to approve the Expenditures Report for the period November 9, 2008 thru December 13, 2008. The motion was seconded by Dennis Nero.

Dennis Nero questioned what all the expenses were on Page 5, Check No. 35623 "Citibusiness Card", which were all dated November 27th. Chief Caltagarone explained all these expenses were for the Police Department and were over a period of time not all on November 27th. Manager stated November 27th is the date the checks were made out.

Dennis Nero also questioned the expense on Page 6, Check No. 35637 to Michell Humprey. Matt Young, City Code Official, explained the expense was for the purchase of Building Code Enforcement software.

Mayor Geyer asked if the expense on Page 8, Check No. 35662 for "American Rock Salt Co." in the amount of \$25,363.81 will cover the City for the whole year? Manager responded no, this is what we just purchased so far. He also noted the City has some salt left over from last year.

Motion Passed

All were in favor to approve the Expenditures Report.

TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of November 30, 2008. The revenue collected for the General Fund is at 99% of the budget or \$5.5 million. Last year in November, the City was at 96.5% of the budget and in 2006, 93%. The expenditures for the General Fund is at 97.6% of the budget and for last year, the City spent 96.5% and in 2006, 83%. Benchmark would be at 91.6%. The remaining funds are staying well within their budgeted amounts.

Executive Session

An Executive Session was held at this time regarding legal and personnel matters.

Reconvened

Mayor Geyer reconvened the meeting at 7:35 p.m. and noted no decisions were made.

LEGISLATIVE ACTION
Consider for Adoption:
 Ordinance No. 245 re:
 Levy & Assessment of
 2009 Taxes

Ordinance No. 245 was presented providing for the Levy and Assessment of Taxes for the City for the fiscal year 2009.

December 15, 2008

Richard Dornisch asked if this ordinance was just to levy taxes for the year 2009 and not to adopt the actual budget? The Manager responded yes.

Richard Dornisch made a motion to adopt Ordinance No. 245, seconded by Mayor Sally Geyer, and on a roll call vote, all were in favor.

Resolution No. 08-22
re: 2009 Budget

Resolution No. 08-22 was presented adopting the budget for 2009 for the various funds for the City. The adopted budget will be placed on display for ten days at City Hall and the library.

Motion denied

Thomas Farley made a motion to adopt Resolution No. 08-22, seconded by Dennis Nero, and on a roll call vote, all voted not to adopt Resolution No. 08-22.

Ordinance No. 246
re: Amending the
Police Pension Plan

Ordinance No. 246 was presented amending the City's Police Pension Plan to update the plan for recent changes to the Internal Revenue Code applicable to the plan.

Richard Dornisch made a motion to adopt Ordinance No. 246, seconded by Steven Skok, and all were in favor.

Ordinance No. 247
re: Non-uniform
Pension Plan

Ordinance No. 247 was presented amending and restating the Pension Plan for the benefit of the City's full-time employees other than Police Officers, utilizing a corporate fiduciary, continuing a Pension Fund and providing for its management and maintenance, continuing administrative procedures, and continuing requirements and criteria for coverage, benefits, vesting and rights of participants.

Dennis Nero made a motion to adopt Ordinance No. 247, seconded by Thomas Farley, and all were in favor.

Wage & Benefit
Schedule

Since the Budget was not adopted, Dennis Nero made a motion to table the Wage & Benefit Schedule, seconded by Richard Dornisch, and all were in favor.

Subdivision Application
Conway & Dippold

A Subdivision Application was presented for Conway and Dippold. Dippold is transferring Lot #1 to Conway and Conway is transferring Lot #2 to Dippold. Lot #3 is a part of a parcel currently owned by Conway and is to be divided and added to Conway's northern parcel. Lots #1 and #3 will be a side lot continuation for the other lands of Conway with a single family dwelling. Lot #2

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 15, 2008

will be consolidated into Dippold's existing parcel. The residual lands will comply with the Zoning Ordinance.

Dennis Nero made a motion to approve the Subdivision Application for Conway and Dippold, seconded by Steven Skok, and all were in favor.

ATA Ground Lease Agreement

Solicitor Jacob stated some suggested changes have been made to the original proposed ATA Ground Lease Agreement for a proposed bus terminal and intermodal transportation facility as part of the parking garage. The Solicitor noted he has not heard back from Thomas Wagner or Gabe Uljon regarding the suggested changes.

Richard Dornisch made a motion to table the ATA Ground Lease Agreement, seconded by Mayor Geyer, and all were in favor.

Zito Media Cable Agreement

Solicitor Jacob noted Council has a copy of the T.V. Franchise agreement that has been negotiated with Zito Media for a non-exclusive franchise within the City. The Solicitor felt this is a fair agreement for the City and for the clients served by Zito Media. Council meetings will soon be televised as part of the new agreement.

Richard Gabler made a motion to approve the agreement between the City and Zito Media. The motion was seconded by Dennis Nero.

Mayor Geyer thanked the Solicitor for his hard work regarding the Zito Media Agreement.

Thomas Farley commented that after reading the original contract and going thru this agreement, a correction he originally requested was not made in the new agreement. Section 14, Page 28 under No. 10 there is a typo. It should be any and all instead of any and al.

Motion Passed

All were in favor to approve the Zito Media Franchise Agreement.

Reappointments/Appointments to various Authorities, Boards, and Commissions Benzinger Sewer Auth.

Dennis Nero made a motion to reappoint Gabe Uljon as a member of the Benzinger Sewer Authority. The motion was seconded by Thomas Farley.

Richard Dornisch stated he still stands opposed to individuals serving on two committees.

December 15, 2008

- Motion Passed All were in favor to reappoint Gabe Uljon to the Benzinger Sewer Authority.
- Municipal Authority Dennis Nero made a motion to reappoint Robert Bauer as a member of the St. Marys Municipal Authority, seconded by Thomas Farley, and all were in favor.
- Richard Gabler made a motion to reappoint Gabe Uljon as a member of the St. Marys Municipal Authority. The motion was seconded by Mayor Geyer.
- Steven Skok agreed with Mr. Dornisch that people should not serve on more than one board.
- Richard Gabler commented that after being advertised no one has applied for the vacancy. No "Letters of Interest" were received for the position on the St. Marys Municipal Authority.
- Motion denied On a roll call vote, all were against reappointing Gabe Uljon, except Richard Gabler who voted in favor of the reappointment. The motion to reappoint Gabe Uljon was denied by majority vote.
- Benzinger Golf Auth. Dennis Nero made a motion to reappoint Herbert Straub as a member of the Benzinger Golf Course Authority, seconded by Richard Dornisch, and all were in favor.
- Benzinger Hospital Authority A motion was made by Dennis Nero to reappoint Dr. James Hackett as a member of the Benzinger Hospital Authority. The motion was seconded by Steven Skok.
- Mayor Geyer noted Dr. Hackett was not interested but will serve if no one applies.
- Richard Dornisch felt that Greg Bauer should be contacted to see if anyone would be interested on serving on the Authority since Dr. Hackett would rather not be on the Authority.
- Dennis Nero noted Council could approve the reappointment for now and if someone else applies, Dr. Hackett could resign.
- Motion Passed All were in favor to reappoint Dr. James Hackett to the Benzinger Hospital Authority.
- Parking Authority Steven Skok made a motion to reappoint Steven Zitzler as a member of the Parking Authority, seconded by Richard Dornisch, and all were in favor.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 15, 2008

- Airport Authority A motion was made by Richard Gabler to reappoint Ray Klaiber as a member of the St. Marys Area Airport Authority, seconded by Steven Skok, and all were in favor.
- Water Authority Dennis Nero made a motion to reappoint Randall Gradizzi as a member of the St. Marys Area Water Authority, seconded by Richard Dornisch, and all were in favor.
- It was noted that Mr. Gradizzi is a representative from Fox Township.
- Thomas Farley made a motion to reappoint Thomas J. Gerg as a member of the St. Marys Area Water Authority, seconded by Dennis Nero, and all were in favor.
- Dennis Nero stated the St. Marys Area Water Authority is one of the City's best run authorities.
- Motion Passed All were in favor to reappoint Thomas J. Gerg as a member of the Water Authority.
- Daniel Hepner, Chairman, RDA Daniel Hepner stated, that at their last board meeting, the RDA had two individuals interested. The RDA, at that time, did not have very much information on Joseph Haines, so due to Warren Stewart's experience and involvement in the community, the board recommended the reappointment of Warren Stewart to the RDA.
- Redevelopment Authority A motion was made by Richard Dornisch to reappoint Warren Stewart to the Redevelopment Authority. The motion was seconded by Mayor Geyer.
- On a roll call vote, Mayor Geyer, Richard Gabler, and Richard Dornisch voted in the affirmative and Thomas Farley, Steven Skok, and Dennis Nero voted in the negative. The vote was a tie. This item will be placed on the next agenda.
- Zoning Hearing Board Thomas Farley made a motion to appoint Ben Kronenwetter as a "Primary" member of the St. Marys Zoning Hearing Board, seconded by Dennis Nero, and all were in favor.
- The vacancy for the alternate member will be advertised.
- Police Civil Service Commission A motion was made by Steven Skok to reappoint David Brown as a member of the Police Civil Service Commission, seconded by Richard Dornisch, and all were in favor.

December 15, 2008

- Board of Health
There was no recommendation from the St. Marys Board of Health to fill the term of Dr. Chester Huth, who resigned. This vacancy will be re-advertised.
- Planning Commission
Richard Gabler made a motion to reappoint Jude A. Weis, as a member of the St. Marys Planning Commission, seconded by Dennis Nero, and all were in favor.

A motion was made by Dennis Nero to reappoint Bruce Gerber as a member of the St. Marys Planning Commission, seconded by Richard Gabler, and all were in favor.

Richard Gabler made a motion to reappoint Jude Gleixner as a member of the St. Marys Planning Commission, seconded by Steven Skok, and all were in favor.
- Recreation Board
A motion was made by Richard Gabler to reappoint Aaron Straub as a member of the St. Marys Recreation Board, seconded by Richard Dornisch, and all were in favor.

Dennis Nero made a motion to reappoint Thomas Fledderman as a member of the St. Marys Recreation Board, seconded by Steven Skok, and all were in favor.

A motion was made by Richard Gabler to appoint Matt Pasi as a member of the St. Marys Recreation Board, seconded by Richard Dornisch, and all were in favor.
- Shade Tree Com.
Dennis Nero made a motion to reappoint Jane M. Gnan as a member of the Shade Tree Commission, seconded by Steven Skok, and all were in favor.

A motion was made by Richard Gabler to reappoint Kathleen Herzing as a member of the Shade Tree Commission, seconded by Steven Skok, and all were in favor.
- Vacancies to be Readvertised
The following vacancies will be readvertised: St. Marys Municipal Authority; Redevelopment Authority; St. Marys Board of Health; alternate for the Zoning Hearing Board; and Greg Bauer will also be contacted for a possible candidate for the Benzinger Township Hospital Authority.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 15, 2008

TOPICS FOR DISCUSSION

Thomas Farley requested that the policy regarding the Evaluation Form for the Non-Uniform Employees be provided for Councils' Personnel Manuals.

Dennis Nero made a motion to accept the evaluation of the Manager, seconded by Richard Gabler, and all were in favor.

Dennis Nero commented that all of Council did not make the evaluation. The evaluation was performed by Committee Members Mayor Geyer and Richard Gabler. This committee has now been dissolved and a new committee will be formed next year for the Manager's evaluation.

CITIZEN COMMENTS ON
NON AGENDA TOPICS

There were no citizen comments on non-agenda topics.

COUNCIL COMMENTS

Dennis Nero noted C/G sidewalks on Bruxelles St. are not being shoveled after a heavy snow storm.

Richard Dornisch made a motion to not adjourn tonight and to reconvene on Monday, December 22nd for continuation of several items that are on tonight's agenda. The motion was seconded by Dennis Nero, and all were in favor.

Solicitor Jacob requested that the press make a special note that this meeting will be continued on Monday, December 22nd at 7:00 p.m.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- Continuation meeting will be held on Monday, December 22, 2008 at 7:00 p.m.
- Next Council meeting will be held on January 5, 2009 at 7:00 p.m.


Mayor


Recording Secretary