

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

December 20, 2004

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor David Meier on December 20, 2004 at 7:10 p.m. The meeting was held in the Council Room of City Hall, 808 S. Michael Street. Notice of this meeting was sent to Council on December 16, 2004 and posted at City Hall. Notice of this meeting was also published in the Daily Press

ROLL CALL

Present: Mayor David Meier, Robert Roberts, Dennis Nero, Mark Kopp, Thomas Farley, Gelindo Bonfardine, Steven Skok, David Greene, Manager, and Solicitor Stephen French

VISITORS

Visitors included: Anthony Trambley, Andy Swasta, Jerry Zelt, Mary Jo McKnight, Virginia VanSlander, Arthur VanSlander, Nancy Wrigley, Charlotte Murray, Vincent Murray, Corky Marconi, Jerry Sorg, Richard Sadley, Dale Bille, Patty Posteraro, Tina Gnan, Carol Yost and Darlene Nortum

APPROVAL OF MINUTES
DECEMBER 6, 2004

A motion was made by Gelindo Bonfardine to approve the minutes of December 6, 2004, seconded by Thomas Farley, and all were in favor.

REPORT ON EXECUTIVE
SESSION

Mayor Meier stated that an Executive Session was held following the December 6, 2004 meeting to discuss personnel (Wage & Benefit Schedule for Non-Uniform Employees) and legal issues. No decisions were made.

2005
CDBG 1ST
PUBLIC HEARING

Mayor Meier opened the 1st CDBG Public Hearing and turned the hearing over to Tina Gnan, Community and Economic Development Coordinator.

Ms. Gnan stated the purpose of this 1st Public Hearing was to provide an explanation of the 2005 CDBG Program and for citizens' input.

The 2005 CDBG Application will include three year long range and one year short range plans for development. The approximate amount the City will receive is \$500,000. The City's proposed projects are as follows:

- Elk Creek Sanitary Sewer Interceptor (final year) \$78,468.
- Depot Street (multi year project) \$251,532.

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- St. Marys Recreation Board-Renovation of restrooms at the parks/handicap accessibility \$80,000.
- Administration \$90,000.

The 2nd Public Hearing will be held on either January 17 or 24, 2005. Notice of this hearing will be published on January 5, 2005. The Application deadline for submittal to DCED is February 25, 2005.

Ms. Gnan introduced Darlene Nortum, the Community Economic and Development Assistant. Ms. Nortum started December 6, 2004 and will be administering the HOME Program along with assisting the CDBG Projects and other Community Development Projects.

Hearing Closed

There being no questions or comments, Mayor Meier closed the Public Hearing.

**2005 BUDGET
PUBLIC HEARING**

Mayor Meier opened the Public Hearing for the City's 2005 Budget.

Jerry Sorg

Jerry Sorg expressed his opposition of the increase in the Emergency and Municipal Services Tax (OPT) and questioned the exemption.

Mayor Meier stated the City is imposing the maximum limit of \$52.00 with an exemption of \$1,000.

Patty Posteraro

Patty Posteraro, business owner, stated some of her employees make less than \$6,000. per year and felt that the \$52.00 tax would be a hardship.

Carol Yost

Carol Yost, Finance Director, stated 45% of the taxes collected would be from out-of-town residents and 55% would be from City residents.

Hearing Closed

There being no further comments, Mayor Meier closed the Public Hearing.

**CITIZEN COMMENTS
ON AGENDA ITEMS**

Jerry Zelt expressed his opposition of the Hyett Palma Study. He also questioned why the City never had a study done for the St. Marys Plaza or the Bucktail Plaza.

Jerry Sorg

Jerry Sorg opposed the sewer base rate increase. He felt sewer changes should be based on water consumption only.

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MANAGER'S REPORT

Manager Greene presented his report. The Manager stated he attended several meetings during the past month to discuss topics, such as: the Emergency and Municipal Services Tax; Social Security; traffic pattern in the downtown area; recycling; Day Care Centers; insurance; Hyett Palma Study; Humane Society shelter; and EDA & ARC Projects. The Manager also attended the WWTP open house on November 17th and stated the City received a \$75,000. grant for improvements at the Memorial Park Swimming Pool.

APPROVAL OF EXPENDITURES

Thomas Farley made a motion to approve the Expenditures for November 11 thru December 15, 2004, seconded by Gelindo Bonfardine, and all were in favor.

TREASURER'S REPORT

Mayor Meier presented the Treasurer's Report as of November 30, 2004. In the General Fund, the City collected 92.6% in revenues and spent 81.1% of the budget expenditures. Over-all, for all the funds, the City collected 101% of budgeted revenue and spent 88.7% of the budget.

LEGISLATIVE ACTION
Consider for Adoption:
 Ordinance No. 190

Ordinance No. 190 to amend the City Code, Section 18, "Sewers and Sewer Disposal", Part 3, "Sewer Rentals", §302, 1., A., Sewer Rental Base Rates, beginning January 1, 2005 was presented. A motion was made by Gelindo Bonfardine to adopt Ordinance No. 190, and seconded by Mark Kopp. On a roll call vote, Mark Kopp, David Meier, and Gelindo Bonfardine voted in the affirmative. Thomas Farley, Steven Skok, Dennis Nero, and Robert Roberts voted in the negative. The ordinance was rejected by majority vote.

Ordinance No. 191

Ordinance No. 191 to amend portions of Chapter 24 of the St. Marys City Code renaming the "Occupational Privilege Tax" as the "Emergency and Municipal Services Tax", increasing the amount of the Tax, and instituting collection procedures for the Tax Collector was presented. David Meier made a motion to adopt Ordinance No. 191 and seconded by Gelindo Bonfardine. On a roll call vote, Robert Roberts, Gelindo Bonfardine, Mark Kopp, and David Meier voted in the affirmative. Thomas Farley, Dennis Nero, and Steven Skok voted in the negative. The motion passed by majority vote.

Resolution No. 04-19

Resolution No. 04-19 regarding financial assistance under the Emergency Assistance Act was presented. Robert Roberts made a motion to adopt Resolution No. 04-19, seconded by Mark Kopp, and all were in favor. The City is applying to the PA Emergency Management Association for reimbursement for flood damages to the Iron Run Bridge, located on Eberl Street, near Keystone Powdered Metal Company.

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Resolution No. 04-20	Resolution No. 04-20 was presented requiring members of the Police Pension Plan to pay 5.00% of their total 2005 wages to the Pension Fund. A motion was made by Dennis Nero to adopt Resolution No. 04-20, seconded by Steven Skok, and all were in favor, except Gelindo Bonfardine who opposed. The motion passed by majority vote.
Wage & Benefit Schedule	The 2005 Wage and Benefit Schedule for non-union employees was presented for approval. David Meier made a motion to approve the Wage and Benefit Schedule for year 2005 as presented, seconded by Robert Roberts, and all were in favor.
Goals and Objectives	The Goals and Objectives were once again presented to Council for their approval. David Meier made a motion to adopt the Goals and Objectives for 2005, seconded by Mark Kopp, and all were in favor.
St. Marys Downtown Blueprint	David Meier stated the Chamber, Marientstadt, and the Merchants Association will all be adopting the St. Marys Downtown Blueprint at their next respective meetings. A general public meeting should then be held. Robert Roberts made a motion to accept the Downtown Blueprint with the attached conditions; (1) No expenditures of City's funds or in-kind services unless approved by the City Manager and City Council. (2) The City Manager is the only person to direct any involvement of City staff. The motion was seconded by Steven Skok and all were in favor, except Thomas Farley and Gelindo Bonfardine who opposed. The motion passed by majority vote.
Jerry Zelt	Jerry Zelt once again questioned why no studies were ever done outside of downtown St. Marys.
2005 Budget - Special Budget Meeting to be held	Since Ordinance No. 190 was not adopted, the City's Budget could not be adopted because of an unbalanced budget. The City must put a balanced budget on display for another ten days and must be done before the deadline of December 31st. Solicitor French stated Council must hold a special budget meeting tonight to balance the budget.
Consider for Publication: Ordinance No. 192	Ordinance No. 192 amending the annual compensation for the Tax Collector for the City of Saint Marys was presented. A motion was made by Mark Kopp to publish Ordinance No. 192, seconded by Thomas Farley and all were in favor, except Gelindo Bonfardine who abstained. The motion passed by majority vote.

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Thomas Farley explained that Ordinance No. 192 provides the wages for the Tax Collector for four years, Tax Collector's position will remain elected, the Deputy Tax Collector's position will be part-time, and that the City will provide office space. He suggested that if anyone is interested in the Tax Collector's position, they should contact the City Manager for more information.

Ordinance No. 193

Ordinance No. 193 increasing the indebtedness of the City by the issuance of a General Obligation Note in the amount of \$550,000. for sundry purposes, fixing the form, number, date, interest and maturity thereof, making a covenant for the payment of the debt service on the note, providing for the filing of the required document, providing for the appointment of a sinking fund depository for the note, and authorizing execution, sale and delivery thereof for the purchase of a building at 10. N. Michael Street. David Meier made a motion to publish Ordinance No. 193, seconded by Dennis Nero, and all were in favor.

Manager Greene explained the proposed plans for the new City Hall. The City is negotiating the purchase of the National City Bank building. National City is going to stay on as a tenant of the City occupying 3721 sq. ft. on the 1st floor at \$12.00/sq. ft. and 329 sq. ft in the basement at \$5.00/sq. ft.

Also on the 1st floor, after National City has made all the renovations, the City will have 900 sq. ft. for the Sewer and Tax Offices, along with a drop-off box. The 2nd floor will contain the Administrative Offices. The Permit Department, Code Enforcement Officer, the Engineer and possibly the Public Works Director will occupy the 3rd floor. There will be two conference rooms in the basement.

There will be limited parking on both sides of the building. National City's lease will be for 20 years which will pay for the City's loan of \$550,000. with an option of two more five-year leases at the same rate. \$500,000. is for the purchase of the building and \$50,000. will be for renovations.

Dennis Nero stated that the proposed moving of City Hall to National City Bank was in the works before Hyett Palma made the recommendation to move City Hall downtown.

Ordinance No. 194

Ordinance No. 194 amending Ordinance No. 187, §601 (A), Special Permits was presented. Robert Roberts made a motion to publish Ordinance No. 194, seconded by Dennis Nero, and all were favor.

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- Ordinance No. 187 was amended as follows:
 - Bruxelles Street: signed area-permits only
 - Depot Street: signed area-permits only
 - Market Street: None
 - N. St. Marys Street: signed area-permits only

Subdivision Applications
Blair Subdivision

An Application for the Blair Subdivision on Blair Road was submitted for approval. Mark Kopp made a motion to approve the Blair Subdivision, seconded by Steven Skok, and all were in favor. This application is for a one acre lot addition to Charles Miller and the remaining 19.68 acres to Louis Elia.

Reiter Subdivision

An Application for the Reiter Subdivision II located on the eastern side of West Theresia Road was submitted for approval. Thomas Farley made a motion to approve the Reiter Subdivision, seconded by Robert Roberts, and all were in favor. This application subdivides lot 3 and adds to parcel 4 of the original subdivision.

South Ridge Subdivision

An Application for the South Ridge Subdivision on South Ridge Road was submitted for approval. David Meier made a motion to table this subdivision until it can be determined if the map has a raised seal. The motion was seconded by Thomas Farley, and all were in favor.

**APPOINTMENTS TO BOARDS
COMMISSIONS, AND
AUTHORITIES**

Thomas Farley made a motion to reappoint John DaCanal to the Benzinger Sewer Authority, seconded by Gelindo Bonfardine, and all were in favor.

A motion was made by Robert Roberts to reappoint Thaddeus Sorg to the St. Marys Municipal Authority, seconded by Steven Skok, and all were in favor.

Dennis Nero made a motion to reappoint Paul J. Schaut to the Benzinger Township Golf Course Authority, seconded by Steven Skok, and all were in favor, except David Meier who abstained. The motion passed by majority vote.

A motion was made by Robert Roberts to reappoint Yolanda Jeselnick to the Benzinger Township Hospital Authority, seconded by Thomas Farley, and all were in favor.

There was no recommendation from the Parking Authority.

A motion was made by Thomas Farley to reappoint David Brennan and Richard Bauer to the St. Marys Area Airport Authority, seconded by Steven Skok, and all were in favor.

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Steven Skok made a motion to reappoint Kenneth Meier and Larry Lecker to the St. Marys Area Water Authority, seconded by Dennis Nero, and all were in favor, except David Meier who abstained. The motion passed by majority vote.

A motion was made by Mark Kopp to reappoint Jerry Marshall and appoint Tom Spence to the St. Marys Redevelopment Authority, seconded by David Meier, and all were in favor.

The St. Marys Zoning Hearing Board had no recommendation.

A motion was made by Robert Roberts to appoint Anthony J. D'amore to the St. Marys Police Civil Service Commission, seconded by Gelindo Bonfardine, and all were in favor.

David Meier made a motion to reappoint Sarah Samick to the St. Marys Board of Health, seconded by Dennis Nero, and all were in favor.

A motion was made by Steven Skok to reappoint Jude A. Weis and Jude Gleixner to the St. Marys Planning Commission, seconded by Mark Kopp, and all were in favor. One vacancy exists on the Planning Commission.

There were no terms expiring on the Recreation Board.

David Meier made a motion to reappoint Jeff Bauer to the Shade Tree Commission, seconded by Robert Roberts, and all were in favor. Two vacancies still exist on the Shade Tree Commission.

A motion was made by Dennis Nero to reappoint James Heary, Sr. as Chairman of the Vacancy Board, seconded by Thomas Farley, and all were in favor.

Robert Roberts suggested that the City advertise the vacancies on the Parking Authority, Zoning Hearing Board, Planning Commission, and the Shade Tree Commission.

Corky Marconi expressed his support for the construction of restrooms at Memorial Park. He felt the City should contribute \$10,000. toward the project instead of in-kind services as was previously approved by Council.

Anthony Trambley, representing the VanSlanders, once again opposed any time changes in the City's Ordinance for Day Care Centers.

**CITIZEN COMMENTS ON
NON AGENDA ITEMS**
Corky Marconi

Anthony Trambley

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Mary Jo McKnight

Mary Jo McKnight presented Pennsylvania's Regulations on Day Care Centers to Council.

Mayor Meier explained the requests regarding Day Care Centers from residents are not being considered by Council at this time. He stated recommended changes will be made by the Planning Commission first. When the Planning Commission recommendations are presented to Council, the public will have an opportunity to comment at that time. Solicitor French stated this process could take up to a year.

Manager Greene stated the City has applied for a grant to hire a consultant to re-write the Zoning Ordinance.

Charlotte Murray

Charlotte Murray stated a Day Care Center in her neighborhood is still beginning operations at 6:45 a.m. which is in violation of the City's Ordinance. A registered letter was sent and if the matter is not corrected in a specified time, the violation will be turned-over to the District Justice.

COUNCIL COMMENTS

Thomas Farley stated he received a complaint from a resident about snow on downtown sidewalks.

January Council Meetings Rescheduled

Robert Roberts made a motion to reschedule City Council's workshop to January 10th and the regular meeting to January 24th at 7:00 p.m., seconded by Steven Skok, and all were in favor.

Mayor Meier wished everyone a Merry Christmas and a Happy New Year.

Meeting Recessed

Mark Kopp made a motion to recess the meeting and enter into a special budget meeting, seconded by Dennis Nero, and all were in favor.

Special Budget Meeting

Solicitor French suggested Council rescind the motion to reject Ordinance No. 190 and approve it as was proposed. In January, Council can take a look at the sewer rates again. This way Council will have a balanced budget.

Budget Meeting Closed

Gelindo Bonfardine made a motion to close the budget meeting, seconded by Mark Kopp, and all were in favor.

Regular meeting Reconvened

Mayor Meier called to order the reconvened meeting at 9:13 p.m.

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Robert Roberts made a motion to rescind the motion to reject Ordinance No. 190, Sewer Rate increase, seconded by Mark Kopp, and all were in favor.

Robert Roberts made a motion to place Ordinance No. 190 back on the table, seconded by Gelindo Bonfardine, and all were in favor.

Ordinance No. 190
adopted

A motion was made by Dennis Nero to adopt Ordinance No. 190 with a stipulation to review the Ordinance again in January, 2005, seconded by Mark Kopp, and all were in favor.

Ordinance No. 189

Robert Roberts made a motion to adopt Ordinance No. 189 Tax Levy and Assessment for 2005, seconded by David Meier, and all were in favor.

Resolution No. 04-17

Mark Kopp made a motion to adopt Resolution No. 04-17 adopting the 2005 Budget for various funds for the City, seconded by Gelindo Bondardine, and all were in favor.

Mayor Meier stated the 2005 Budget will be on display for 10 days at City Hall and at the St. Marys Public Library.

ADJOURNMENT

Mark Kopp made a motion to adjourn the meeting, seconded by Dennis Nero, and all were in favor.

Mayor

Shirley Dicklas

Recording Secretary