

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

FEBRUARY 20, 2012

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, February 20, 2012 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 February 16, 2012, posted at City Hall and published in the Daily Press.

ROLL CALL

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

VISITORS

Visitors included: E.J. Friedl, Paul Jesberger, Grace Jesberger, Matthew Pfeufer, Gary Anderson, Jerry Hanes, Kim Hoffman, Marie Gahr, Richard Sadley, Kevin O'Leary, Lyle Garner, Bob Rudolph, Bob Ordiway, Tom Farley, Bert Sorg and Sam Shefcyk.

APPROVAL OF MINUTES
February 6, 2012

Daniel Hepner made a motion to approve the minutes of February 6, 2012, seconded by Richard Dornisch, and all were in favor.

SPECIAL PRESENTATION:
Crystal Fire Department Annual Report

Bill Kraus, Fire Chief of the Crystal Fire Department, presented the following information for their 2011 Annual Report.

- Responded to 276 incidents, an increase of 14 from previous year
- Provided a breakdown of the incidents
- Responded to 21 mutual aid responses
- Received mutual aid four times
- Provided inspections and drills at 16 local schools and health care facilities
- Provided fire prevention programs to local schools and scout troops
- Held an open house at the Erie Avenue station
- Provided the Prom Promise Program
- Incidents by days of the week and an alarm time analysis
- Response time averages
- Building and content values, losses and savings
- Amount of training for members
- Membership totals are stable

Council commended the department members for their service to the community and thanked the Fire Chief for his presentation.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

January 17 and 19 - Met with Thad Sorg and Joe Goetz from the St. Marys Municipal Authority to discuss the Plant Maintenance Supervisor's position at the Wastewater Treatment Plant.

January 25- Attended the Board of Directors meeting of the North Central Regional and Planning Commission in Ridgway.

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January 26- Tim Brennan and I met with Jason Reed from Gannett Fleming to discuss any future development at the St. Marys Airport Industrial Park.

January 26- Attended the Elk County Tax Collection Committee meeting held at the High School in Johnsonburg.

February 1- Met with Dave Pasi from Elco Electric to discuss the locations for the new Parking Garage Pay machines.

February 8- Met with Sean Gabler and Craig Coon from First Commonwealth to discuss a new program called the WorkSmart Banking.

February 15- Tim Brennan, Steve Samick and I along with representatives from PennDot met with Neal Lepovetsky to discuss the Chestnut and Mill Street intersection.

February 16- Members of the Pension Committee met with Jeff Davidek from CS McKee to review the City's quarterly report on our pension funds.

APPROVAL OF EXPENDITURES

Daniel Hepner made a motion to approve the Expenditures from January 15, 2012 to February 12, 2012, seconded by Bob Roberts.

Mayor Geyer questioned the amount of rock salt purchased and Manager Greene responded the City must purchase 60 percent of the allocated amount and if it is not used it will be a reserve for the next year.

All were in favor to approve the Expenditures.

TREASURER'S REPORT

Mayor Geyer gave the following Treasurer's Report as of January 31, 2012:

Revenue for the General Fund was at 0.16 percent of budget and Expenditures were at 6.98 percent of budget for January. Last year at this time the City collected .07 percent of budget for Revenue and expensed 4.49 percent of budget. Revenue will be low for the first few months of the year as the Real Estate tax bills are not mailed until March 1st of each year.

LEGISLATIVE ACTION**Requests from the Bavarian Fall Fest Committee**

Kim Hoffman, Bavarian Fall Fest Committee member, presented Council with a list of requests for the 3rd Annual Bavarian Fall Fest scheduled to be held from Friday, September 21st, 2012 thru Sunday, September 23rd, 2012.

Motion

Richard Dornisch made a motion to approve the tentative plans for the Bavarian Fall Fest, seconded by Gregory Gebauer.

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Discussion

Gregory Gebauer questioned the use of the City Street Department for cleanup on Sunday night. He suggested a scheduled cleanup on Monday during regular working hours would be less expensive.

Manager Greene commented there were some cleanup issues after last year's festival and there were costs involved for the City.

Richard Dornisch suggested that each vendor be responsible for cleanup of their own area.

Bob Roberts was concerned with the cost to the City.

Council expressed numerous other concerns; costs that would be incurred by the City, security and parking issues.

Clarification of Motion

The motion was clarified to only approve the dates and hours of the festival.

Motion Passed

All were in favor to approve the Bavarian Fall Fest to be held beginning Friday, September 21st, 2012 from 9am until 10pm, Saturday, September 22nd, 2012 from 9am until 10pm and on Sunday, September 23rd, 2012 from 9am until 3pm.

The Committee will return with specific requests at a future meeting for Council's consideration.

Requests from the MS Outhouse Races Committee

Kevin O'Leary Event Organizer for the 3rd Annual Kick the Crap out of MS Outhouse Races, presented the following requests:

The event to be held on Saturday, May 12, 2012 from 2pm until 7pm.

The closure of Market Street from the top of Market Street near the corner of the Diamond down until the entrance of the Municipal parking lot on Market Street from 1pm until 8pm to allow for set up and clean up.

The Open Container Law be waived from 1pm until 8pm in the above specified area only.

Motion

Bob Roberts made a motion to approve the above listed requests, seconded by Greg Gebauer.

Discussion

Richard Dornisch asked if the event was over earlier last year and Mr. O'Leary responded yes.

Mr. O'Leary stated the event raised \$3,800 last year and they were looking for a family dealing with MS to submit their names for consideration to receive this year's money.

Motion Passed

All were in favor to approve the requests.

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**Appointments to City Authorities,
Boards and Commissions**

Planning Commission

Bob Roberts made a motion to reappoint Pat Sherry to the Planning Commission, seconded by Daniel Hepner and all were in favor.

Shade Tree Commission

Daniel Hepner made a motion to appoint Amy Brunner to the Shade Tree Commission to fill the unexpired term of Bob Carnes, seconded by Richard Dornisch and all were in favor.

Mayor Geyer announced there was still one vacancy on the Planning Commission.

**TOPICS FOR DISCUSSION:
Oil and Gas Regulations**

Matthew Pfeufer, Zoning Officer, explained recently the Governor of Pennsylvania signed HB 1950 into law, which is now Act 13 of 2012.

The law made changes to how Oil and Gas Wells are treated within the Commonwealth of Pennsylvania; it changed some of the regulations on the State Level and also imposed an Impact Fee on unconventional Gas Wells.

He stated the local municipality cannot impose stricter regulations than the State.

He gave a summary of the conflicts with the recent changes made to the Zoning Ordinance regarding Oil and Gas Development.

Because there were only 120 days to make the City's Zoning Ordinance compliant with the State regulations in order to qualify to receive a portion of the impact fees, Mr. Pfeufer was looking for direction as how to proceed. If Council approved, Mr. Pfeufer stated he would let the Planning Commission know to look into revising the current Zoning Ordinance.

Solicitor Wagner commented the County would have to enact an Ordinance in order to impose the impact fees and he believed the County Commissioners were already pursuing that direction.

Richard Dornisch questioned if a general restriction could be put in place to protect the City's water supply.

Council had a brief discussion which resulted in the following motion:

Motion Passed

Bob Roberts made a motion to direct the Planning Commission to review the Zoning Ordinance with the input of the Solicitor to protect what we have within the realm of the State statutes, seconded by Daniel Hepner and all were in favor, except Richard Dornisch who opposed.

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Comment

Richard Dornisch stated he was looking for another way to address the watershed issues.

**CITIZEN COMMENTS
ON NON-AGENDA TOPICS**

Elizabeth Friedl

Elizabeth Friedl commented she believed Mr. Tom Farley was one of only three certified individuals on the ballot for the Council position in the recent election. She also commented if the issue of a conflict of interest had been addressed when considering the appointment of the current Solicitor.

Bob Rudolph

Bob Rudolph resident of Lynch Road described a problem he has with flooding in his basement that seems to come from the cemetery flowers blocking the City storm drain.

COUNCIL COMMENTS

Councilman Gebauer

Councilman Gebauer asked who other than the Solicitor would check the City's regulations regarding the Oil and Gas Development and the Solicitor responded he believed there was no provision in the new law for reviewing a municipality's Ordinance. The Solicitor also commented the City may be able to limit activity based on a rational basis and he would look into that option.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- The next Council worksession will be held Monday, March 5, 2012 at 7:00 p.m. at City Hall.
- The Vacancy Board meeting is immediately following adjournment of tonight's Council meeting.

ADJOURNMENT

Richard Dornisch made a motion to adjourn the meeting.

Lorrie Lewanduski

Recording Secretary

Sally Geyer

Mayor