

CITY OF SAINT MARYS COUNCIL WORKSESSION

February 7, 2005

CALL TO ORDER A Council worksession of the City of Saint Marys was called to order by Mayor David Meier on Monday, February 7, 2005 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 808 South Michael Street. Notice of this meeting was sent to Council on February 3, 2005 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, Gelindo Bonfardine, Steven Skok, Thomas Farley, and David Greene, City Manager

VISITORS Visitors included: Jerry Marshall, Arlita Feldbauer, Sally Geyer, Don Williams, Rudy Catalone, Jerry Sorg, Mike McCaig, and Richard Sadley

**APPROVAL OF MINUTES
JANUARY 25, 2005** Gelindo Bonfardine made a motion to approve the minutes of January 24, 2005, seconded by Dennis Nero, and all were in favor.

**REPORT ON EXECUTIVE
SESSION** An Executive Session was held following the meeting of January 24, 2005 to discuss legal matters and an Executive Session was held prior to tonight's meeting regarding real estate. No decisions were made.

AGENDA ADDITION Mayor Meier stated that opening of bids for analytical services for the WWTP will be added to the agenda.

CITIZEN COMMENTS
Mike McCaig,
PNC Capital
Markets

Mike McCaig of PNC Capital Markets gave a brief narrative on refinancing of the St. Marys Municipal bonds. He stated the Municipal Authority directed him to pursue the refinancing as long as the savings are greater than \$150,000. February 21st is the expected date for Council to adopt the refinancing Ordinance and Guaranty Agreement.

Jerry Sorg

Jerry Sorg stated that topics of Executive Sessions should be announced. Mr. Sorg also wished to speak later during the meeting regarding outdoor furnaces.

Arlita Feldbauer

Arlita Feldbauer also wished to speak later on outdoor furnaces.

Sally Geyer

Sally Geyer requested time later regarding the Humane Society proposed building.

Don Williams

Don Williams spoke against the proposed location of the Humane Society building and wished to speak later on the subject.

CITY OF SAINT MARYS COUNCIL WORKSESSION

February 7, 2005

ITEMS THAT NEED ACTION
Appointment of City
Solicitor

Thomas Farley made a motion to retain the services of Stephen French, current City's Solicitor, for the year 2005, seconded by Robert Roberts, and all were in favor.

Appointment to the
Shade Tree Commission

A motion was made by Robert Roberts to appoint Jane Gnan as a member of the Shade Tree Commission per the Commission's recommendation. The motion was seconded by Steven Skok, and all were in favor.

Appointment to the
Parking Authority

Thomas Farley made a motion to appoint Elaine Friedl as a member of the Parking Authority, seconded by Dennis Nero, and all were in favor.

Subdivision Application
Ehrensberger Land
Dev., Harrison Road

A memo was received from the Zoning Officer explaining that the water well on the Ehrensberger Land Development Subdivision is required to be 100 ft. from the sand mound. The surveyor inadvertently left City water detail on the plat map's standard requirements. The surveyor has corrected the plat map to show that a well is to be used for the water supply.

A motion was made by Robert Roberts to approve the Subdivision Application of Ehrensberger Land Development, seconded by Mark Kopp, and all were in favor.

Award of Bid
Hydraulic System,
bed and plow

Mayor Meier stated the following three bids for a hydraulic system, bed and plow for the Street Department were opened during a meeting held on November 1, 2004:

Walsh Equipment \$41,880. plus additional
components Total bid \$42,675.00.

Bradco Supply \$34,555. plus additional
components Total bid \$42,550.00

Seigworth Rd. Supply \$41,717.14 plus ad-
ditional components Total bid \$42,849.34

A memo was received from the Public Works Director recommending that the bid be awarded to Walsh Equipment per Steve Samick's recommendation. Bradco Supply bid has similar items at a lower total bid of \$175. However, after reviewing the bids, the Bradco Supply unit has more moving parts that would require additional continued maintenance. The unit also has less bed capacity than the unit supplied by Walsh Equipment.

A motion was made by Steven Skok to except Steve Samick's recommendation to award the bid to Walsh Equipment in the amount of \$42,675. The motion was seconded by Thomas Farley.

CITY OF SAINT MARYS COUNCIL WORKSESSION

February 7, 2005

**Street Lighting
Improvements**

After a brief discussion, Steven Skok amended his motion to table the awarding of the bid, the amended motion was seconded by Thomas Farley, and all were in favor.

The Manager will contact Solicitor French regarding the legality of awarding a higher bid.

A memo was received from the Public Works Director requesting that Allegheny Power's recommendation to standardize all street lighting to Metal Halide be approved.

Thomas Farley made a motion to accept the Public Works Director's recommendation for Street Lighting improvements. The motion was seconded by Gelindo Bonfardine.

Council had many comments regarding the recommendation and finally on a roll call vote to approve the street lighting improvements, Thomas Farley, Steven Skok, Mark Kopp, Dennis Nero, and Robert Roberts voted in the negative. David Meier and Gelindo Bonfardine voted in the affirmative. Consequently, the motion recommending the Street Lighting Improvement Project was rejected and the matter was tabled.

**Lease Agreement with
National City Bank**

Robert Roberts made a motion to approve the Lease Agreement with National City Bank, seconded by Dennis Nero, and all were in favor.

**Opening of Bids
for Analytical Services
at WWTP**

Mayor Meier opened five bids for analytical services at the WWTP as follows:

Environmental Services Laboratories, Inc.
Brockway Analytical Services, Inc.
Free-Col Laboratories, LTD
Analytical Services, Inc.
Fairway Laboratories

There were various prices listed by the bidders on numerous items. The bids will be forwarded to City Staff for their recommendation. Mayor Meier asked that the "Request for Bids" and the "Specifications" be included with the recommendation.

**CONSIDER FOR
PUBLICATION
Ordinance No. 196**

Ordinance No. 196 amending the St. Marys City Code to further regulate the use of outdoor furnaces was presented. Thomas Farley made a motion to publish Ordinance No. 196 and seconded by Mark Kopp.

February 7, 2005

Jerry Sorg

Jerry Sorg felt the following items in the outdoor furnace ordinance are unreasonable: furnaces to be located 20 feet from building. He stated insurance companies want furnaces further than 20'; burning only permitted from November 1st through April 30th; burning of wood chips being prohibited; and the 20 foot stack requirement. He also questioned how can an inspector check the prevailing winds, when wind blows in all directions?

Arlita Feldbauer

Arlita Feldbauer spoke against the outdoor furnace ordinance. She questioned if the furnaces would be grandfathered.

Thomas Farley withdrew his motion to publish Ordinance No. 196. Mark Kopp withdrew his second, and all were in favor.

Council requested that data regarding the requirements and recommendations from manufacturers of the outdoor furnaces be compiled and brought back to Council.

Robert Roberts requested that the outdoor furnaces be placed on the March worksession agenda for discussion.

Ordinance No. 197

Ordinance No. 197 was presented approving the Consulting Engineer's Report and authorizing the execution and delivery of a 2005 Guaranty Agreement between the City of St. Marys and the St. Marys Municipal Authority in support and guarantee of the refunding series of 2005 bonds of said Authority providing for the 2005 refunding program of the Authority, and authorizing the execution and filing of an approval request, debt statement and self-liquidating debt exclusion certificate for said 2005 Guaranty Agreement with the Pennsylvania Department of Community and Economic Development.

A motion was made by Steven Skok to publish Ordinance No. 197, seconded by Dennis Nero, and all were in favor.

Robert Roberts stated his concerns regarding the 2005 Guaranty Agreement, which states, "The City will levy upon and collect service fees from the Sewer System in amounts sufficient to pay principal of and the interest and premium, etc...." Mr. Roberts would like a clear understanding of this statement. If the City agrees to this agreement, what are the City's obligations? Mike McCaig explained that this agreement is the same as what is currently in place.

CITY OF SAINT MARYS COUNCIL WORKSESSION

February 7, 2005

Mayor Meier felt the City needs to look at the 1986 Trust Indenture.

Mayor Meier questioned Mike McCaig if the 1986 Trust Indenture states who sets the sewer rates, the City or the Authority. Mr. McCaig explained that the Municipal Authority is a financing Authority not like the Water Authority who is an operating Authority setting their own rates.

Council felt that the City's Solicitor Stephen French should meet with the Municipal Authority's Solicitor regarding who is responsible for setting the sewer rates.

All were in favor to publish Ordinance No. 197.

COMMITTEE REPORTS

There were no Committee Reports.

TOPICS FOR DISCUSSION
Humane Society Lease

A memo was received from the Public Works Director stating that the Humane Society would like to lease property on Graphite Road for a building site. This is the same area as the City's former mulch site. An action plan was submitted by Robert Makufka, who represented the Humane Society.

Don Williams

Don Williams once again stated his opposition against the location of the proposed building citing traffic, noise and a possible incinerator.

Sally Geyer

Sally Geyer of the Humane Society stated no tax money is being used to construct the building. The Society held fund raisers for four years. As for the incinerator, this is just a rumor as the Society is not planning on one at this time.

Thomas Farley had a problem with giving away City property which could be used for expansion of the Street Department. Mr. Farley also stated that the proposed site is in an Industrial Zone. A Zoning Hearing would have to be held for a variance because it is not a permitted use in an Industrial Zone.

Rudy Catalone

Rudy Catalone spoke against the proposed location for the Humane Society building.

It was suggested that the Airport Authority be contacted as a possible location for the Humane Society building. The Public Works Director is to meet with the society and the airport.

CITY OF SAINT MARYS COUNCIL WORKSESSION

397

February 7, 2005

ANNOUNCEMENTS

Mayor Meier made the following announcements:

- Next Council meeting will be held on Monday, February 21, 2005 at 7:00 p.m.
- Congratulations to Katie Baumgratz for the Girl Scout, Gold Award
- Congratulations to Kurt Baumgratz for the Boy Scout, Eagle Scout Award
- Circulation of petitions will begin February 15, 2005

Thomas Farley
re: Engineering
Study

Thomas Farley requested that the Manager contact the Municipal Authority for an Engineering Study to be performed by KLH Engineers. The study should incorporate operating costs as well as the debt service.

ADJOURNMENT

The meeting was adjourned on a motion made by Mark Kopp, seconded by Steven Skok, and all were in favor.

Mayor

Stanley Nicklas
Recording Secretary