

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

JANUARY 21, 2013

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, January 21, 2013 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 January 17, 2013, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG**ROLL CALL**

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

VISITORS

Visitors included: David Green from Leadership Elk County, Todd Caltagarone, Katie Weidenboerner.

Tim Brennan, City Engineer, Steve Samick, Street Superintendent, and Matthew Pfeufer, Zoning Officer, did not sign in.

APPROVAL OF MINUTES

January 7, 2013

Gary Anderson made a motion to approve the minutes of January 7, 2013, seconded by Daniel Hepner and all were in favor.

PUBLIC HEARING: Zoning Ordinances Changes

Mayor Geyer opened the public hearing at 7:03 p.m.

Councilman Dornisch questioned the language referring to the placement of storage tanks and Matthew Pfeufer responded fuel storage tanks were included because of the F.E.M.A. floodplain regulations. Solicitor Wagner also responded it was necessary to have regulations regarding fuel storage tanks or they could be placed anywhere on the property. He also stated the portion of the definition Councilman Dornisch was referring to, was already contained in the Zoning Ordinance.

Councilman Dornisch believed clarification was needed.

There were no public comments.

Mayor Geyer closed the public hearing at 7:09 p.m.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

January 10- Attended a Board of Directors meeting of the Northern Tier Community Action Corporation.

January 10- Attended the Open House for the new third floor at the Elk Regional Medical Center.

January 16- Attended the Elk County Earned Income Tax Committee meeting held in Johnsonburg.

January 17- Attended a meeting with Jeff Davidek from CS McKee and Pension Board members to discuss the City's pension plans.

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Personnel Committee

Manager Greene requested a committee to assist him with personnel matters and the preparation of job descriptions and salary ranges.

Daniel Hepner, Nedward Jacob and Gary Anderson volunteered for the Personnel Committee.

Richard Dornisch questioned if the Mayor should also be included in all committees formed by Council and it was determined the Mayor did not have to be included.

SOLICITOR'S REPORT

Solicitor Wagner commented everything he would be reporting would be discussed later in the meeting. He suggested the Mayor announce the Executive Session.

REPORT ON EXECUTIVE SESSION

Mayor Geyer stated an Executive Session was held immediately prior to tonight's meeting regarding contract negotiations. No decisions were made.

APPROVAL OF EXPENDITURES
Motion

Richard Dornisch made a motion to approve the Expenditures from December 16, 2012 until January 19, 2013, seconded by Nedward Jacob.

Gregory Gebauer questioned a line item regarding rent and Manager Greene responded it was for storage units for the Police Department.

Nedward Jacob questioned a line item regarding Windstream and Manager Greene responded it was for the telephone within the elevator that calls the elevator company in case of emergency.

Nedward Jacob questioned a line item regarding payment for Workman's Compensation and Manager Greene responded he would have to check with the Finance Director to confirm the frequency of the bill.

Nedward Jacob questioned a line item regarding a memorial plant and Manger Greene responded it was sent to the Finance Director because her father has passed away.

Motion Passed

All were in favor to approve the Expenditures.

TREASURER'S REPORT

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

As for now the total revenue for the General Fund was at \$5,925,381 or 97.93 percent of budget and the expenditures to date were \$5,420,294 or 89.89 percent of budget. All other funds were well within their budget with some carryovers to next year with the exception of the Sewage Treatment Fund which has a deficit fund balance of \$342, 983. Total current real estate revenue received in 2012 was \$3,804,607. Total outstanding for 2012 was \$191,090. Total Earned Income tax collected was \$1,222,622. Pension plans have increased from last year. As of this report the City had not received the 4th quarter delinquent real estate tax revenue from the County, so figures for the

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end of this year will change and will be adjusted.

Mayor Geyer questioned the Elk Creek Park Fund and Manager Greene explained in 2011 the City received a grant in the amount of \$36,100 which was returned due to lack of match funds.

Nedward Jacob questioned the Sewage Treatment fund showed a deficit and it wasn't mentioned that the Airport Industrial Park Project and the St. Marys Parking Garage fund also show deficits for the end of the year. Mayor Geyer suggested Councilman Jacob contact the Finance Director for an explanation.

Gary Anderson asked if the Manager could provide an update on the Elk County Tax Collection Committee meeting and Manager Greene responded the Earned Income tax revenues were still approximately \$60,000 less than what was collected in 2011. The amounts received would be double checked. Councilman Anderson also questioned if there would be an audit performed on Centax and Manager Greene responded yes, the "Receiver" or Bonding Company would pay for the audit.

LEGISLATIVE ACTION:

Consider for adoption: Ordinance No. 279, re: Making technical revisions and modifying various provisions of the City Zoning Ordinance

Ordinance No. 279 was presented making technical revisions to and modifying various provisions of the City Zoning Ordinance.

Solicitor Wagner stated the Ordinance was duly advertised and the public hearing was held. The Elk County Planning Commission had no comments on the changes. He recommended the Ordinance be adopted.

Motion Passed

Ordinance No. 280, re: Amending the Non-Uniformed Pension Plan to comply with I.R. S. requirements.

Richard Dornisch made a motion to adopt Ordinance No. 279, seconded by Gary Anderson and all were in favor.

Ordinance No. 280 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 right of participants to comply with the Internal Revenue Code.

Motion Passed

Resolution No. 13-2, re: Setting the annual compensation for the tax collector for the City of St. Marys

Bob Roberts made a motion to adopt Ordinance No. 280, seconded by Daniel Hepner and all were in favor.

Resolution No. 13-2 was presented setting the annual compensation for the tax collector for the City of St. Marys.

Manager Greene explained because the Tax Collector was an elected position the Resolution was needed every four years. The salary was set at 34,774.40 for the year 2014 with a 2 percent annual increase.

Motion Passed

Daniel Hepner made a motion to adopt Resolution No.

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13-2, seconded by Nedward Jacob, and all were in favor.

Resolution No. 13-3, re: Traffic signal Agreement with PennDOT

Resolution No, 13-3 was presented authorizing the Mayor to sign and submit an application for a Traffic Signal Agreement with PennDOT.

Manager Greene explained the St. St. Marys/Rt 255 Project included an upgrade to the school zone traffic signals. The City had to agree to maintain the signals once they were installed. The School District would be contacted to pursue a possible agreement to reimburse the City for maintenance costs.

Motion Passed

Richard Dornisch made a motion to adopt Resolution No. 13-3, seconded by Nedward Jacob and all were in favor.

Resolution No. 13-4, re: Fee Schedule

Resolution No. 13-4 was presented amending the City's Fee Schedule.

Motion

Richard Dornisch made a motion to approve Resolution No. 13-4, seconded by Bob Roberts.

Discussion

Nedward Jacob after reviewing the proposed changes he noticed the costs for building permits had increased since 2004. He stated residents had contacted him over the years and they believed the fees were too high. He believed the high cost did not promote growth in the City to build the tax base.

Richard Dornisch agreed with Councilman Jacob.

Matthew Pfeufer stated none of the fees were changed.

Nedward Jacob stated Fox Township fees were cheaper.

Richard Dornisch stated there were no increases but since it was being presented to Council for their review the fees should be made to be competitive to surrounding municipalities.

Nedward Jacob listed some of the increases since 2004. He requested a committee be formed to review the fee schedule.

Mayor Geyer stated there were items that were no longer necessary.

Motion to withdraw passed

Bob Roberts made a motion to withdraw the Resolution for adoption, seconded by Daniel Hepner and all were in favor.

Manager Greene clarified the current fee schedule would still be used.

Nedward Jacob again requested a committee be formed.

Fee Schedule Committee

Richard Dornisch, Mayor Geyer and Nedward Jacob

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are the committee members to review the fee schedule and bring back recommendations to Council.

LERTA application from Mersen, USA Mersen, USA has submitted an application to the City of St. Marys in regards to the Local Economic Revitalization Tax Assistance Act (LERTA) Program for a 50' x 60' addition to an existing industrial building located at 1032 Trout Run Road. The projected cost of the improvement is \$237,000. The City has received approval letters from the St. Marys Area School District and the Elk County Assessment Office.

Motion Passed

Daniel Hepner made a motion to approve the LERTA application for Mersen, USA seconded by Gary Anderson and all were in favor.

Appointments to City's Authorities,
Boards and Commissions
Redevelopment Authority

Daniel Hepner made a motion to appoint Lyle H. Garner to the Redevelopment Authority to fill the unexpired term of Jodi Foster, seconded by Nedward Jacob and all were in favor.

Municipal Authority

Nedward Jacob made a motion to appoint Dean A. Feldbauer to the St. Marys Municipal Authority, seconded by Bob Roberts and all were in favor.

Planning Commission

Richard Dornisch made a motion to appoint Brian M. Fleming to the City Planning Commission, seconded by Bob Roberts and all were in favor.

TOPICS FOR DISCUSSION:

Use of brine of City Roads

Tim Brennan, City Engineer, explained the purpose of the discussion was to address some misunderstanding about the salt pre-wetting system for winter maintenance. The system was originally proposed as a cost savings measure by reducing the tonnage of salt and the amount of cleanup in the spring. The system was purchased in the spring/late winter of last year. It was only used a few times in the early spring of last year. There were a few problems with the initial implementation of the system last year but it is currently being utilized on three City trucks.

Council, the City Engineer and Street Department Superintendent discussed the benefits of the pre-wetting process, temperature restrictions, different chemical options, training of drivers and the call out process for the Street department workers.

Executive Sessions

Mayor Geyer explained due to the numerous recent executive sessions she requested to know the topic before the executive session. She also requested if there is a topic discussed in an executive session the item is placed on the next meeting agenda for legislative action.

Council discussed the limited legal reasons for executive sessions and the notification that is given to Council.

Left turn onto Bruxelles Street at
Sweeny Street

Chief Caltagarone explained the reason the no left turn was implemented at the Sweeny Street/Bruxelles

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Street intersection was due to various reports and studies since 1994. The studies found the intersection was considered in a failure status due to traffic backups. Changes have been made since the no left turn was implemented and the intersection was now considered in an acceptable status. Council could request PennDOT perform another traffic and engineering study to review the intersection.

1st to Motion

Bob Roberts made a motion to contact PennDOT and request another traffic study.

Council, the Street Superintendent and the Chief of Police discussed the numerous issues with the intersection and its affect on downtown traffic.

No Second. Motion Died.

There was no second to the motion. Motion Died.

Home Rule Charter Conference

Bob Roberts suggested Council, the City Manager and the Solicitor review the Home Rule Charter. The newer Council members were interested in a review. The Solicitor would send an email to schedule a meeting for those that were interested.

CITIZEN COMMENTS ON NON-AGENDA TOPICS

There were no comments on non-agenda topics.

COUNCIL COMMENTS Councilman Jacob

Councilman Jacob commended City Staff for their work regarding the items on the Complaint Report.

Councilman Jacob commented KDKA was no longer on Zito Media.

Councilman Roberts

Councilman Roberts expressed his gratitude to the Chief of Police, City Engineer and Street Superintendent for the information presented at tonight's meeting.

Mayor Geyer

Mayor Geyer commented tonight's meeting went well considering the large agenda.

Mayor Geyer displayed new signage regarding parking enforcement hours.

Manager Greene

Manager Greene explained the signs should clarify the hours of operation for the parking meters since currently it is only displayed within the parking meterhead.

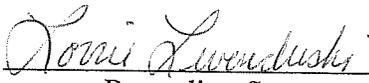
ANNOUNCEMENTS

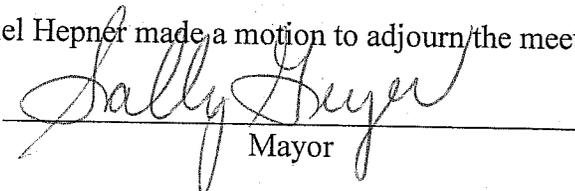
Mayor Geyer made the following announcements:

- The next Council worksession will be held Monday, February 4, 2013 at 7:00 p.m. at City Hall.

ADJOURNMENT

Daniel Hepner made a motion to adjourn the meeting.


Recording Secretary


Mayor