

## CITY OF SAINT MARYS COUNCIL RESCHEDULED WORKSESSION

JULY 12, 2010

**CALL TO ORDER**

A Council rescheduled worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, July 12, 2010 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 July 8, 2010, posted at City Hall, and published in the Daily Press.

**Moment of Silence**

A moment of silence was observed in memory of Gele Fedder who had been an active member of the Parking Authority for the past 24 years.

**ROLL CALL**

Present: Mayor Sally Geyer, Bob Roberts, Steven Skok, Richard Gabler, Jr., Daniel Hepner, Richard Dornisch, Dennis Nero, Manager David Greene, and Solicitor Mark Jacob.

**VISITORS**

\*Correction per July 19, 2010 minutes, speaker was not listed as a visitor

Visitors included: Warren Stewart, Tim Wachter, Rick Werneth, Ken Young, Rev. Chris Kindel, Charlie Axtman, Jackie Severance, Richard Sadley, Denny Bauer, Sally Wilson, and Wes Meyer and \*Lynda Pontzer (Did not sign in)

**APPROVAL OF MINUTES**

June 21, 2010

Richard Gabler, Jr. made a motion to approve the minutes of June 21, 2010, seconded by Bob Roberts, and all were in favor, except Daniel Hepner who abstained.

**SPECIAL PRESENTATION:**

FirstEnergy Solutions, re: Municipal Energy Aggregation

Timothy Wachter, representing FirstEnergy Solutions presented Council with information regarding Municipal Aggregation. He stated Municipal Aggregation was an opportunity for Home Rule Charter Communities to enter into a contract with an energy supplier to receive a supply of energy for their residents and small consumers (25 kilowatt hours or less) at a guaranteed percent reduction. He described various options for the residents or small users to "opt out" of the program. This program was strictly for the supply of energy and would not affect local jobs. Previously when residents had the opportunity to "shop" for an electric rate, most residents stayed with their current supplier. Implementing the Municipal Aggregation would provide a "safety net" for the residents to provide savings.

Council had a brief discussion regarding details of Municipal Aggregation and requested FirstEnergy Solutions present a proposal for their review.

**CITIZEN COMMENTS ON AGENDA TOPICS**

Lynda Pontzer expressed her concerns with signage along the Boulevard and Diamond area. She disagreed with a private business recently displaying a sign in that area and thought only community events signs should be permitted.

**LEGISLATIVE ACTION**

Consider for adoption:  
Ordinance No. 257, re: Reducing the Maximum Speed Limit on Fleming Road

Ordinance No. 257 was presented for adoption to amend Chapter 15, Section 201, of the St. Marys City Code pertaining to Maximum Speed Limits Established on Certain Streets. The current posted speed limit of 25 miles per hour on Fleming Road would be reduced to 15 miles per hour along the entire length of Fleming Road

## CITY OF SAINT MARYS COUNCIL RESCHEDULED WORKSESSION

JULY 12, 2010

from South Michael Road to the entrance of Benzinger Park.

Motion Passed

Bob Roberts made a motion to adopt Ordinance No. 257, seconded by Dennis Nero, and all were in favor.

Consider for Publication:  
Ordinance No. 258, re: Raising  
Contract Bidding Requirements

Ordinance No. 258 was presented for consideration to publish to amend the Administrative Code Part 1- H- Contracts Section 171, When Bidding is Required, Section 173 Exceptions to Advertising Requirements, and Section 177 Evasion of Advertising Requirements.

Motion

Richard Gabler, Jr. made a motion to publish Ordinance No. 258, seconded by Steven Skok.

Discussion

Council stated the following concerns:

- Having more control of funds, not less.
- Obtaining three quotes would still need to be required.
- Revising the current requirements to obtain quotes.

Solicitor Jacob was requested to revise the current provisions regarding requirements for obtaining a quote.

Motion Denied

All were opposed to publish Ordinance No. 258.

Motion to Table Passed

Richard Gabler, Jr. made a motion to table Ordinance No. 258, seconded by Richard Dornisch, and all were in favor.

Request from Downtown Merchant's  
Group, re: Use of Diamond and Free  
Parking for the Bavarian Fall Fest

A letter from the Downtown Merchants Group was presented requesting the use of the Diamond with electricity, and free parking on October 1st thru 3rd, 2010 for the Bavarian Fall Fest.

Motion

Richard Dornisch made a motion to approve the request, seconded by Steven Skok.

Discussion

Council clarified Sunday, October 3 would already be free parking, and also requested a reminder be given to the businesses that the free parking should be for customers, not people working the event.

Motion Passed

All were in favor to approve the request.

Request from St. Marys Chamber of  
Commerce, re: Closure of Market  
Street and Waiver of Open Container  
Law for "Wing Fling"

A letter from the St. Marys Chamber of Commerce was presented with a request to close Market Street on Friday September 10, 2010 at 1:00 p.m. and to waive the open container law during the hours of 5:00 p.m. until 10:00 p.m. for a designated area on Market Street and the Municipal parking lot between S. St. Marys Street and Market Street for the annual "Wing Fling".

Motion Passed

Dennis Nero made a motion to approve the request, seconded by Richard Gabler, Jr. and all were in favor.

#### TOPICS FOR DISCUSSION

Land Development Application, re:  
First United Methodist Church

Manager Greene presented Council with a Land Development Application from First United Methodist Church for property located at 871 South Michael Road. The applicant is proposing construction of a 3,863

## CITY OF SAINT MARYS COUNCIL RESCHEDULED WORKSESSION

JULY 12, 2010

square foot pavilion to be used as a church with 43,000 square feet stabilized parking lot of 68 spaces and 1,000 square feet paved parking lot with 4 handicapped spaces. The impervious area is less than 5,000 square feet, so no stormwater management is required. The development is to be served with public water and public sewer. The developer had applied for DER GP-5, GP-7 and NPDES permits for access road and utility construction. The parking lot does not have any interior landscaping. (312.15.2.A). The parking lot is not screened from adjoining residential properties (312.15.3). The Planning Commission has no substantial caveats to the projects.

Charlie Axtman, consultant for the project explained further details of the project and the stormwater plans.

This was for informational purposes only.

## Sign Ordinance

Solicitor Jacob explained Council had previously received proposed changes to the Sign Ordinance and now that Council had a chance to review the changes, he was requesting further instructions from Council.

Dennis Nero commented the changes covered what he had requested.

Council had a discussion regarding the Boulevard/Diamond area and suggested uniformity in the language.

Solicitor Jacob recommended adding that the Boulevard/Diamond area should also be subject to any rules and regulations of the Commonwealth of Pennsylvania and PennDOT, since the referenced area is within the State's Right-of-Way.

Councilman Dornisch thanked Solicitor Jacob and Matthew Pfeufer for their time in preparing this information.

## Motion Passed

Bob Roberts made a motion to direct the Solicitor to make the proposed changes, seconded by Steven Skok, and all were in favor, except Richard Dornisch who opposed.

The changes will then be presented to the Planning Commission for their review, before coming back for approval by Council in Ordinance form.

## CITIZEN COMMENTS ON NON-AGENDA TOPICS

There were no citizen comments on non-agenda topics.

## COUNCIL COMMENTS

Daniel Hepner announced the Elk County Marcellus Shale Taskforce will be sponsoring a Natural Gas Expo on October 14, 2010 to be held in Ridgway at the former Motion Control building. They are anticipating upwards of 200 vendors with indoor and outdoor displays.

Councilman Hepner asked if there were any results back

## CITY OF SAINT MARYS COUNCIL RESCHEDULED WORKSESSION

JULY 12, 2010

from the PennDot survey and Manager Greene responded not yet, but he would check on it.

Richard Gabler Jr. commented he may need to be excused for the next Council meeting on July 19<sup>th</sup>, 2010.

Steven Skok stated the Road Improvement Committee would be meeting tomorrow, July 13, 2010 with Michael Mullaney and Steven Samick.

Councilman Skok asked Manager Greene for any updates regarding Mr. Kopp's telephone pole problem on Rightmeyer Street. Manager Greene responded Zito Media stated they would be moving their lines by the end of October, but has not heard anything from Windstream. Both utilities will need to be moved to the new poles before Allegheny Power will remove the old poles.

Councilman Skok thanked Matthew Pfeufer for the effort he has put forth regarding the Elk County Act 167 Stormwater Management Plan. He expressed his concern that Elk County Commissioners will adopt the Plan at their next meeting on Tuesday, July 20<sup>th</sup> at 10: a.m.

Councilman Nero encouraged residents to attend the public hearing, being held immediately prior to the Commissioners meeting, at 9:00 a.m.

Matthew Pfeufer stated the final Elk County Stormwater Advisory Committee meeting will be held on Thursday, July 15<sup>th</sup>, 2010 at 6:00 p.m. in Ridgway.

Council restated their concerns with the financial impact this Plan may have on the City and its residents, and the issue of enforcement and liability to the City.

Councilman Dornisch stated he would attend the Elk County Farm Bureau Legislative Farm Tour that will be held August 17, 2010 at 10:30 a.m. at Keller's Greenhouse in Kersey.

## ANNOUNCEMENTS

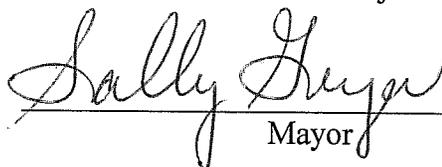
Mayor Geyer made the following announcements:

- The next Council meeting will be Monday, July 19, 2010 at 7:00 p.m. at City Hall.

## ADJOURNMENT

Bob Roberts made a motion to adjourn the meeting.

  
 \_\_\_\_\_  
 Recording Secretary

  
 \_\_\_\_\_  
 Mayor