

JULY 18, 2011

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, July 18, 2011 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 14, posted at City Hall, and published in the Daily Press.

ROLL CALL

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

VISITORS

Visitors included: Ken Young, Richard Sadley, Mike Brock, Colleen Nero, Ned Jacob, and Jack Gabler.

ADJOURNED FOR EXECUTIVE SESSION

Mayor Geyer adjourned the meeting after roll call at 7:01 p.m. for an Executive Session regarding legal matters.

RECONVENED

Mayor Geyer reconvened the meeting at 7:10 p.m.

REPORT ON EXECUTIVE SESSIONS

Mayor Geyer stated Council adjourned to an Executive Session to finish the Executive Session that was scheduled at 6:30 tonight. Both sessions were regarding legal matters. No decisions were made.

**APPROVAL OF MINUTES
June 20, 2011**

Richard Gabler, Jr. made a motion to approve the minutes of June 20, 2011, seconded by Bob Roberts, and all were in favor, except Daniel Hepner, who abstained.

**CITIZEN COMMENTS ON
AGENDA TOPICS**

There were no citizen comments on agenda topics.

MANAGER'S REPORT

June 15- Attended a Parking Garage meeting held at the Depot Street job site.

June 15- Attended the Ribbon cutting ceremony for the new Variety Store on Erie Avenue.

June 21-24- Steve Skok and I attended the PLCM Conference in Erie.

June 28- Attended a pre-construction meeting for the ATA Depot Street terminal building project. Construction is scheduled to begin July 15th.

June 29- Attended an Elk County Tax Collection Committee meeting held in Johnsonburg.

July 13- Attended a Parking Garage meeting held at the Depot Street job site.

July 14- Lorrie Levenduski and I held a conference call with Bob Ayoob in reference to funding for the parking garage.

Dennis Nero asked if the parking garage was still on schedule and Manager Greene responded a "punch list" would be done on Thursday as there are a few small items that needed to be finished yet. Because the ATA portion of the parking garage has not been started it appears that the garage is not done yet. ATA will begin

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construction in the near future and it will not affect the parking garage opening.

APPROVAL OF EXPENDITURES

Steven Skok made a motion to approve the Expenditures from June 19, 2011 to July 16, 2011, seconded by Daniel Hepner, and all were in favor.

TREASURER'S REPORT

Mayor Geyer presented the following Treasurer's Report as of June 30, 2011:

June is the half-way mark for the City. Total revenue collected for the General Fund was \$4.1 million or 59.62 percent of budget. Last year at this time the City collected \$3.4 million or 60.82 percent of budget. Total expenditures for the General Fund were at \$2.5 million or 37.12 percent of budget. Last year expenditures were at \$2.3 million or 41.21 percent of budget. Total real estate taxes collected was 94.51 percent of budget with 93.05 percent of budget for last year. Earned income collected was 54.75 percent of budget and for last year the City collected 49.97 percent of budget. For the EMS tax or Local Service tax the City collected 50.35 percent of budget for this year and for 2010 at this time 44 percent of the budget was collected. The market value of the pension plans has dropped since last month.

LEGISLATIVE ACTION

Resolution No. 11-9, re: Adopting a procurement policy for the Non-Uniformed Pension Plan

Resolution No. 11-9 was presented adopting a procurement policy for the City of St. Marys Non-Uniformed Pension Plan in order to comply with the requirement of Act 44 of 2009.

Motion Passed

Daniel Hepner made a motion to approve Resolution No. 11-9, seconded by Steven Skok, and all were in favor.

Resolution No. 11-10, re: Adopting a procurement policy for the Police Pension Plan

Resolution No. 11-10 was presented adopting a procurement policy for the City of St. Marys Police Pension Plan in order to comply with the requirements of Act 44 of 2009.

Motion Passed

Richard Dornisch made a motion to approve Resolution No. 11-10, seconded by Bob Roberts, and all were in favor.

Resolution No. 11-11, re: Authorizing participation in the Central Westmoreland Council of Government's Vehicle Purchasing Program

Resolution No. 11-11 was presented authorizing participation in the Central Westmoreland Council of Government's Vehicle Purchasing Program.

Manager Greene explained this enables the City to piggy back on bids that were already put out by Central Westmoreland if any vehicle purchases were being considered by the City.

Motion Passed

Richard Dornisch made a motion to approve Resolution No. 11-11, seconded by Daniel Hepner, and all were in favor.

Approval of LERTA application for P/M National, Inc. located at 201 Grotzinger Road.

P/M National has submitted an application to the City of St. Marys in regards for the Local Economic Revitalization Tax Assistance Act (LERTA) Program for a 28,120 sq. ft. addition to an existing industrial building at 201 Grotzinger Road. The projected cost of

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the improvement is \$825,000. Copies of the request were forwarded to the other taxing bodies and the County Assessment Office.

Motion

Bob Roberts made a motion to approve the P/M National, Inc. LERTA application, seconded by Dennis Nero.

Discussion

Mayor Geyer clarified this was an addition to their existing building and commented they were a fairly young company.

Dennis Nero commented there was approval from the Elk County Assessment Office and Manager Greene agreed.

Richard Gabler, Jr. commented Council's approval of the LERTA application was just a technicality. The applicant only needs to be eligible for the program and Manager Greene responded it was to make Council aware of the economic development within the City and to inform the taxing bodies of the status of the LERTA application.

Richard Dornisch commented this was a Preliminary application and Manger Greene responded yes.

Bob Roberts commented he couldn't see why Council would not approve any eligible application because that meant they were building in our community and Mayor Geyer agreed.

Motion Passed

All were in favor to approve the LERTA application for PM National, Inc.

Approval of increase in the proposed Elk County Tax Collection Committee 2011/2012 budget

Manager Greene presented an increase in the proposed 2011/2012 budget for the Elk County Tax Collection Committee. He was requesting Council's Approval of an increase of \$2,500.00 for Insurance purposes which would be equal to \$579.50 for the City since its percentage share of the budget was 23.18%.

Discussion

Council had a lengthy discussion regarding the Committee and had numerous concerns with the Committee's purpose and long term existence and expense to the City. They were also concerned with it being yet another unfunded mandate from the State of Pennsylvania.

Motion Denied on Roll Call Vote

Dennis Nero made a motion to approve the proposed budget, seconded by Bob Roberts and on a roll call vote six voted in the negative and one in the positive. Motion was denied.

TOPICS FOR DISCUSSION

Changes to the Zoning Ordinance regarding Oil and Gas Drilling

Councilman Dornisch stated it has been one year since he first brought up trying to protect the City's water sources and private property regarding Marcellus Shale drilling. The City has since come up with proposed Ordinance changes that had previously been presented to Council and he felt it was time to move forward with those changes by voting to publish the changes on the next agenda.

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Council, the Manager and the Solicitor had a lengthy discussion regarding the proposed changes and if a private consultant could review the proposed changes before voting to publish the changes to the Ordinance. It was agreed that the Manager would try to contact a consultant to review the proposed Ordinance by the next meeting and if a consultant was not found then the changes would be on the next agenda for consideration to publish.

CITIZEN COMMENTS ON NON-AGENDA TOPICS

Mike Brock, resident, commented other communities had found someone to review their Ordinance changes.

COUNCIL COMMENTS

Councilman Nero

Councilman Nero asked what response was going to be sent to DEP regarding Stormwater Management Act 167 and Manager Greene responded Council will need to discuss the matter before responding.

Councilman Nero also asked for the status of the Sale of Effluent Water from the Wastewater Treatment Plant and Councilman Hepner responded one vendor was interested in purchasing effluent water from the Wastewater Treatment Plant but the Municipal Authority was looking at others and are actively pursuing the Sale of Effluent Water.

Councilman Roberts

Councilman Roberts commented since the parking garage would be opening soon, he requested it be placed on the next agenda under Topics for Discussion.

(Added to agenda)

Approval of release of properties for
Redevelopment Authority

Manager Greene stated at a recent Council meeting the Redevelopment Authority had stated they were waiting for approval from Mr. Yoder, the City's developer, and the City, to release various properties downtown for possible improvements. He has received the letters and the developer has given his approval, so he was requesting Council's approval of the release of the following properties:

301 Depot Street (Career Link building), new owner GA Properties, LLC, for a proposed exterior renovation project

322 Depot Street, owned by Todd Hanes, for a proposed parking lot project

320 Depot Street, owned by the Iorfida's, for a proposed new roof project

69 Erie Avenue for a proposed exterior renovation project

49 Erie Avenue, owned by George Bauer, for a proposed façade improvement project

29 North Michael Street, owned by Mike Faulk, for a proposed awning project

27-28 Erie Avenue, owned by Dean Wolfe, for a proposed roof project

Motion

Dennis Nero made a motion to approve the release of the above listed properties for consideration for possible projects through the St. Marys Redevelopment Authority with no financial responsibility or confirmation of eligibility from the City for any of the possible RDA projects, seconded by Bob Roberts.

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Discussion

Ned Jacob approached Council and commented he believed there was an agreement with Mr. Yoder to purchase the 301 Depot Street property and Manager Greene responded there was, but the property was recently purchased by someone other than Mr. Yoder.

Council had a lengthy discussion regarding the release of the above mentioned properties and specifically wanted to confirm that approval of the release of the properties does not imply any financial responsibility by the City to any proposed RDA project nor does it imply eligibility of any project through any of the RDA's funding sources:

Motion Passed

All were in favor to release the above listed properties for proposed RDA projects without any financial responsibility by the City, per the minutes of this meeting.

ANNOUNCEMENTS

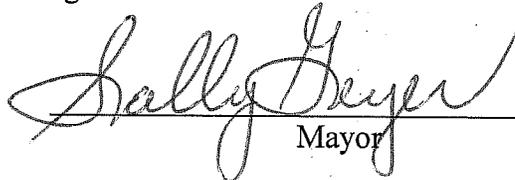
Mayor Geyer made the following announcements:

- The next Council meeting will be held Monday, August 1, 2011 at 7:00 p.m. at City Hall.

ADJOURNMENT

Richard Gabler, Jr. made a motion to adjourn the meeting.


Recording Secretary


Mayor