

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

July 19, 2004

## CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor David Meier on Monday, July 19, 2004 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 808 South Michael Street. Notice of the meeting was sent to Council on July 15, 2004 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, Thomas Farley, Gelindo Bonfardine, Steven Skok, Michael L. Mullaney, Acting City Manager, and Solicitor Stephen French

## VISITORS

Visitors included: Andy Swasta, Richard Sadley, Tim Allen, Ray Neubert, Dan Neubert, Joe Neubert, Dick Herzing, Rosemary Caskey, Tonia Hillebrand, Pauline Gausman, Ginny Wilson, Rose Ann Herzing, Tina Gnan, and Randy McCurdy

MINUTES OF  
JULY 5, 2004

Steven Skok made a motion to approve the minutes of July 5, 2004, seconded by Mark Kopp, and all were in favor.

REPORT ON  
EXECUTIVE SESSION

An Executive Session was held following the Council meeting of July 5, 2004 regarding personnel matters. No decisions were made.

Tina Gnan, Recycling  
Task Force

Tina Gnan, representing the Recycling Task Force, presented the following areas that the task force would like to add to curbside recycling; Lemans Capri, Catalina, Cadillac, Mailbu, Sunrise, Alpine, Pearl, Lang, Earl, South Ridge, Liberty, Robin, Robin Road Ext., and part of South Michael Road from Averyville to Robin Road. This would add approximately 250 more residents to the recycling program. The City received 300 bins from the County which will be distributed next week.

Ms. Gnan asked for Council's approval to obtain a 2000 International Lo-Pro recycling truck from Wilmington Township. The truck was shared between four municipalities and since they were not mandated by Act 101 to do curbside recycling, the truck has been offered to Saint Marys. The only cost to the City would be title transfer. Wilmington Township received the truck through a grant and therefore it cannot be sold.

Recycling surveys have been mailed to City residents. The Elk County Electronics Recycling Center will be open every third Saturday of the month not Wednesday as stated in the City's letter.

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The City received 904 monies in the amount of \$11,930. These funds will be used to offset the cost of printing and mailing the recycling surveys along with the purchase of additional containers and educational materials.

Steven Skok made a motion to add the roads listed by the task force for curbside recycling and to go forward with the title transfer for the truck, seconded by Mark Kopp, and all were in favor.

**CITIZEN COMMENTS**

There were no citizen comments on Agenda items.

**ACTING MANAGER'S REPORT**

Michael Mullaney presented the following report:

- July 25, 2004, the City, in conjunction with the Allegheny & Eastern Railroad, will be closing Fourth Street between Depot Street and Washington Street and also Erie Avenue between Diamond Street and Fourth Street. This area will be closed to traffic through approximately July 30, 2004 to repair the railroad crossing on Fourth Street.

Mayor Meier felt that notices should be sent to all the businesses and trucking firms in the area regarding closing of the streets.

- The Columbus Street project will begin soon.
- Oilwell Street is almost completed except for sidewalk repairs and spot repairs to the sanitary sewer line.
- Hickory Road's culverts were cleaned and are ready to be reset.
- The City is making every effort in addressing the flooding problems. At peak times, rain was falling at a rate of 9.29 inches per hour. In a twenty-four hour period, the City received 4.38 inches of rain.
- FEMA and PEMA were contacted regarding the damage to residents' basements. The two agencies only look at 1st floor damage and 40 percent of those affected have to be uninsured. The City does not qualify as a disaster area.

**COMMITTEE REPORTS**

Gelindo Bonfardine stated a tentative date of July 29th has been set to meet with the School District

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and the Commissioners regarding the Tax Collector as to whether the position should be elected or appointed. Mr. Bonfardine would like the Finance Director to attend. He will notify everyone when the date and location are confirmed.

Robert Roberts questioned the status of an ordinance regarding parking meter changes/permits. Solicitor French still needs to prepare the ordinance.

**APPROVAL OF EXPENDITURES**

A motion was made by Robert Roberts to approve the Expenditures for the period June 17, 2004 through July 15, 2004, seconded by Thomas Farley, and all were in favor.

**TREASURER'S REPORT**

Mayor Meier presented the Treasurer's Report as of June 30, 2004. The end of June is half-way for the City. The City collected 94% of its real estate taxes for this year. Earned income collected as of June is 54%. The total revenue collected for the General Fund is 64.8% and expenditures are 43.7%. The total revenue collected for the City is 69.4% and expenditures are 50.3%

**OLD BUSINESS:  
PLCM - Downtown  
Action Agenda**

A motion was made by Steven Skok to approve the agreement between Saint Marys and the Pennsylvania League of Cities and Municipalities to use the services of HyettPalma, seconded by Mark Kopp, and all were in favor, except Thomas Farley, who opposed. The motion passed by majority vote.

Thomas Farley was concerned about the commitment of everyone involved. He stated the recommendation of HyettPalma must be carried out by the City, merchants, and the downtown people.

Robert Roberts felt that Steven Skok should be named the coordinator between Council and HyettPalma. The Mayor suggested waiting until the City meets with HyettPalma before naming a coordinator. He also felt a full time City employee should be appointed the coordinator.

**NEW BUSINESS  
Land Developments:  
St. Marys Area  
Water Authority**

Once again the Land Development Application for the St. Marys Water Authority was presented. The application is for the construction of a water storage tank on Rosely Road.

Acting Manager Mullaney explained that a building permit has been issued to the Water Authority. Under the current City plan, when an individual applies for a building permit, the Code Enforcement Officer looks at all the issues, such as stormwater, zoning regulations, setbacks, etc. before the permit

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is approved. The Planning Commission is the City's review board. In the case of the Water Authority, the review board had a list of questions, which were answered.

Acting Manager Mullaney stated the property in question has been condemned and felt that a subdivision should have been done.

Dan Neubert, nephew of Ray Neubert, expressed the Neuberts' opposition to the construction of the water storage tank.

Gelindo Bonfardine stated according to state maps there are no mines in the area where the tank is to be placed, but that a resident informed him that there were mines at this location. Mr. Bonfardine further informed that the Water Authority only did core drilling to 12 feet and that the mines could be 40 feet deep.

Solicitor French stated that a building permit should only be issued after all areas are satisfied. He added that the Water Authority has an approved building permit and that the authority could start to build tomorrow, unless the City is willing to revoke the permit.

Dan Neubert asked if the building permit is still good if mines are under the property and who would be responsible if the tank was to collapse due to undermining. Solicitor French stated that a suitable surface is the responsibility of the property owner.

Acting Manager Mullaney was instructed to contact the Water Authority to get assurances that there was no mining at this location and to confirm the report of Brockway Analytical Services regarding the Neuberts' well water.

Thomas Farley made a motion to table this particular Land Development Application until the two questions are answered, seconded by Gelindo Bonfardine, and all were in favor.

Robert Roberts made a motion to have Solicitor French review Ordinance No. 173 regarding Land Development Applications, Subdivisions, and Zoning. The motion was seconded by Steven Skok, and all were in favor.

St. Marys Lunch  
Box, Inc.,

No action was taken on the Land Development Application for St. Marys Lunch Box., Inc. 766 Washington St.

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**Subdivision Applications**

Richard L. and Janet M.  
Wolfe, Windfall Road

Thomas Farley made a motion to approve the Subdivision Application for Richard L. and Janet M. Wolfe, seconded by Robert Roberts, and all were in favor. This application is for a side addition of a 0.92 acre parcel to a lot between 1004 and 1008 Windfall Road.

James R. and Michael J.  
Wittman, east of Jackson  
Rd., north of Bucktail  
Trail

A motion was made by Robert Roberts to approve the Subdivision Application for James R. and Michael J. Wittman, seconded by Steven Skok, and all were in favor. This application is for a lot addition.

D & L. Rentals,  
east of Jackson Rd.  
along Bucktail Trail

David Meier made a motion to approve the Subdivision Application for D & L Rentals, seconded by Thomas Farley, and all were in favor. This application is for a lot addition.

**CITIZEN COMMENTS  
ON NON-AGENDA ITEMS**  
Pauline Gausman

Pauline Gausman, resident of Maurus Street, once again expressed her concerns regarding the recent flooding on Maurus Street. Ms. Gausman thanked the Police, Fire Department, Mike Mullaney, and the City Crew for their help during the recent storm. She would also like to see this flooding problem resolved as soon as possible.

Tonia Hillebrand

Tonia Hillebrand, resident of Center Street, stated that flooding problems also exist on Center Street causing 4.5 feet of water in her basement. She stated that they have never encountered water like this before and felt that the new addition at the ECCHS (Chapel) is causing some of the flooding. She asked if a study was done when the permit was applied for to construct the chapel.

Randy McCurdy

Randy McCurdy, of Ann Road, felt that something should be done about the water runoff from Las Glorias Road onto Ann Road. Mr. McCurdy stated that individual property owners on Las Glorias Road are diverting water onto Ann Road. Mayor Meier suggested that Solicitor French research and give the City a legal opinion regarding stormwater. The City will get back to Mr. McCurdy with the opinion.

**COUNCIL COMMENTS**

Thomas Farley questioned what can be done about repairing/replacing the sidewalks on Grant Street. Acting Manager Mullaney will add Grant Street to the City's Sidewalk Program.

The Acting Manager informed Mr. Nero that General Code Publishers will be attending a Council meeting in August regarding the City's Code Book.

**ANNOUNCEMENTS**

Mayor Meier made the following announcements:

- Next Council meeting will be held on August 2, 2004 at 7:00 p.m.

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- National Night Out will be held on August 3, 2004.
- Fire Department, Police Department, Street Department, and the Sewer Crew are to be commended for their help during the recent flooding.
- Please return the recycling surveys to the City.

Executive Session

Dennis Nero requested that an Executive Session be held immediately following the meeting to discuss personnel matters.

ADJOURNMENT

Mark Kopp made a motion to adjourn the meeting, seconded by Steven Skok, and all were in favor.

EXECUTIVE  
SESSION

An Executive Session was held concerning personnel matters.

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Mayor

*B. Shirley Dicklass*  
Recording Secretary