

## CITY OF SAINT MARYS COUNCIL WORKSESSION

JULY 2, 2012

**CALL TO ORDER**

A Council worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, July 2, 2012 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 June 28, 2012, posted at City Hall, and published in the Daily Press.

**PLEDGE TO THE FLAG****ROLL CALL**

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

**VISITORS**

Visitors included: Marlene Werner, Gene Werner, Warren Stewart, Yolanda Wolfel, Monica Radkowski, Marilyn Deppen from the St. Marys Public Library, Susan Goetz, Scarlette Corbin, Director of the St. Marys Public Library, Tina Gradizzi, Richard Sadley, Amy Shields and Darlene Lynch.

**APPROVAL OF MINUTES  
June 18, 2012**

Gary Anderson made a motion to approve the minutes of June 18, 2012, seconded by Daniel Hepner.

## Correction to roll call vote

Nedward Jacob requested the roll call vote regarding the "jake brake" ordinance list the individual votes by Council members.

## Motion Passed

All were in favor to approve the minutes with the above noted correction.

**REPORT ON EXECUTIVE  
SESSION**

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

**PUBLIC HEARING:**  
Ordinance No. 275, Oil and Gas  
Regulations, re; Act 13 of 2012

Mayor Geyer opened the public hearing at 7: 02 p.m.

Matthew Pfeufer, Zoning Officer, explained the Ordinance being proposed makes the needed revisions to the Zoning Ordinance to comply with Act 13 of 2012 in order to make the City eligible for the Oil and Gas Impact Fees.

Solicitor Wagner commented if Council approved the Ordinance for adoption at tonight's meeting it would then be forwarded to the PA Public Utility Commission for their review and comment. The Ordinance will still need to meet the P.U.C.'s approval before the City would be eligible for any Impact Fees.

There were no public comments.

Mayor Geyer closed the public hearing at 7:04 p.m.

**CITIZEN COMMENTS ON  
AGENDA TOPICS**

Marlene Werner

Marlene Werner explained she had requested the former Benzinger Township place a streetlight on Ford Road near her property. The request was denied so she and other property owners had gone together and purchased a light which was placed on a nearby telephone pole by the electric company. Those property owners had been paying for the street light ever since. She was now requesting the City consider taking over the street light.

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Yolanda Wolfel

Yolanda Wolfel, local advocate for Lyme Disease prevention, gave various details regarding Lyme Disease, options to prevent tick bites and other possible related health issues. She expressed her dissatisfaction with the Health Industry and government regarding Lyme Disease.

**LEGISLATIVE ACTION****Consider for adoption:**

Ordinance No. 275, re: Oil and Gas Regulations to conform to Act 13 of 2012

Ordinance No. 275 was presented for adoption amending the provisions of the City Code regulating Oil and Gas Operations to conform to the requirements of Act 13 of 2012. The Ordinance was duly advertised and a public hearing was held for citizen comments.

Motion Passed

Daniel Hepner made a motion to adopt Ordinance No. 275, seconded by Nedward Jacob and all were in favor.

**Consider for adoption:**

Resolution No. 12-7, re: Kaulmont Park Drainage Project Grant Application

Resolution 12-7 was presented for adoption requesting the filing of a grant application on behalf of the St. Marys Recreation Board in the amount of \$10,000 to the Elk County Community Foundation of St. Marys for grant funds to be used towards drainage improvements at Kaulmont Park.

Gary Anderson made a motion to adopt Resolution No. 12-7, seconded by Richard Dornisch and all were in favor.

Resolution No. 12-8, re: Downtown Beautification Project Grant Application

Resolution No. 12-8 was presented for adoption requesting the filing of a grant application on behalf of the St. Marys Heritage Preservation Group in the amount of \$8,600 to the Elk County Community Foundation of St. Marys for grant funds to be used towards the purchase of lamppost brackets, baskets, concrete planters, trash containers and supplies.

Motion

Bob Roberts made a motion to adopt Resolution No. 12-8, seconded by Daniel Hepner.

Discussion

Gregory Gebauer questioned if this was considered within the downtown development area and if so, would the current City developer have to "sign off" on this project and Tina Gradizzi responded it was within the downtown development area and was not sure if the City's developer would need to sign off because the project did not pertain to any buildings.

The City Manager agreed with Ms. Gradizzi.

Gregory Gebauer then questioned if the project would be considered as a "Streetscape" project?

Mayor Geyer questioned if the project was specifically for the Depot Street area and Tina Gradizzi responded it was for the downtown area.

Manager Greene stated a letter to request a release for the project would be sent to the City developer.

Nedward Jacob questioned if the "Hometown Gardeners" would plant and take care of the planters and Tina Gradizzi responded yes.

Gregory Gebauer questioned if the project was approved and the City's developer had to sign off on the project would the developer then receive a portion of the grant and Manager Greene responded no. The Manager further

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stated the City's developer would only receive a portion of funds from any grant that he (the developer) wrote, submitted and was awarded.

Motion Passed

All were in favor to approve the adoption of Resolution No. 12-8

**TOPICS FOR DISCUSSION**  
Streetlight on Ford Road

Mayor Geyer explained a request was received from Marlene Werner of 228 Ford Road for the City to take over a private streetlight along Ford Road.

Marlene Werner had given her comments during the citizen comments on agenda topics.

Solicitor Wagner explained past history for the former Benzinger Township indicated residents petitioned for placement of a streetlight.

Council had a lengthy discussion regarding the City taking over private streetlights. Their main concern was how many private street lights there were in the former township. It was agreed to investigate the number and placement of former Benzinger Township private streetlights.

Evaluation of City Manager

Mayor Geyer explained the City Manager's evaluation was due to be performed in September. Councilman Roberts had reformatted the evaluation form and Mayor Geyer expressed her satisfaction with the new format.

Council discussed the reason for the Manager's evaluation, the current policy regarding compensation for the Manager, the procedure for performing the Manager's evaluation and the need for all employees to receive an evaluation.

Bob Roberts stated the last line of the current Manager's Evaluation Policy states "the evaluation will determine the rate of compensation for the Manager" but any raise received by the Manager has been the same as all Management employees. The Manager's Evaluation was never taken into consideration regarding compensation.

Motion Passed

Bob Roberts made a motion to eliminate the last line, which states the evaluation will determine the rate of compensation, in the current City Policy under the Manager's Evaluation Policy, seconded by Richard Dornisch and all were in favor, except Gregory Gebauer.

It was agreed to wait until the 2<sup>nd</sup> meeting in September to proceed with the Manager's evaluation.

**CITIZEN COMMENTS ON  
NON-AGENDA TOPICS**

Monica Radkowski  
City Developer Discussion

Monica Radkowski approached and requested an explanation regarding the agreement with the City's Developer.

Manager Greene responded the City had entered into an open ended agreement with the Susquehanna Valley Development Group that gives them exclusive rights within the City's Redevelopment District. It does not apply if the owner of any building chooses to modify or upgrade their own building. The agreement only requires a release from the City's Developer if there are any grant

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funds utilized to "develop" a property or another developer was involved within the boundaries of the Redevelopment District. The only pending project the City has with the City Developer is the downtown hotel project.

Council discussed another developer could build a hotel outside of the Redevelopment District and would not need a release from the City's Developer.

**COUNCIL COMMENTS**

Councilman Jacob  
Airport Road

Councilman Jacob stated he received a phone call regarding the City working on a private road around the Airport.

Manager Greene explained the road has been maintained in the winter months by the St. Marys Area Airport Authority, but under an agreement the City has with the Authority the City would assist with the year round maintenance of the road if the Authority was unable to. The deeds to the Airport property were originally in the Borough of St. Marys name, but are now in the City's name which encompasses the access road. As the Airport runway was extended, the property owners were guaranteed access to their properties via the road with the promise of future maintenance. The property owners were also given a right-of-way through the City's property.

Councilman Jacob disagreed with the City assisting with the maintenance of the road.

Councilman Dornisch commented due to financial difficulties the airport survives only because of the City's support.

Councilman Roberts commented the situation is more complicated than it appears, because the City owns the property and as the property owners lost their access to South Michael Road a verbal agreement was made by the Airport Authority to maintain the road.

Council discussed the City's liability if the Airport would close or if the residents took legal action.

Councilman Dornisch  
Parking Permit Issue

Councilman Dornisch questioned the elimination of certain parking permits in the downtown area; specifically the Market Street area and requested Council consider reviewing the situation.

Councilman Roberts  
Zito Media Letter

Councilman Roberts questioned the status of the letter Council agreed to be sent to Zito Media regarding the recent issues with their service.

Mayor Geyer commented the draft was circulated to Council and she was waiting for responses.

Motion- No Second- Motion Died

Councilman Roberts made a motion to send the letter as written. No Second was made. Motion Died

Manager Greene commented he had been in contact with Mr. Ruffner who came to the last Council meeting with issues regarding the nursing facilities and Mr. Ruffner stated that since the last meeting Zito Media had been working with him to resolve the issues and did not want

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the nursing facilities specifically mentioned in the letter.

Council discussed the draft of the letter, their options to change the letter and the ongoing problems with Zito Media.

## Motion

Bob Roberts made a motion to change the letter to Zito Media to refer to multiple residential units, seconded by Gary Anderson.

## Discussion

Mayor Geyer questioned if it was necessary to threaten litigation within the letter.

Councilman Roberts stated he believed it was the City's only recourse.

## Motion Passed

All were in favor, except Nedward Jacob, who opposed.

Mayor Geyer  
Fireworks

Mayor Geyer commented she believed the 4<sup>th</sup> of July was for fireworks, not for a week before and after the Holiday.

**Proclamation for the St. Marys  
Public Library**

Mayor Geyer signed and presented a Proclamation to the St. Marys Public Library representatives declaring July 2012 as St. Marys Public Library Month.

**Certificate of Appreciation for  
Robert Donachy years of service**

Mayor Geyer signed a Certificate of Appreciation for Robert Donachy for his years of service as an employee of the former Benzinger Township and City of St. Marys for 36 years.

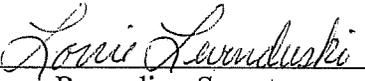
## ANNOUNCEMENTS

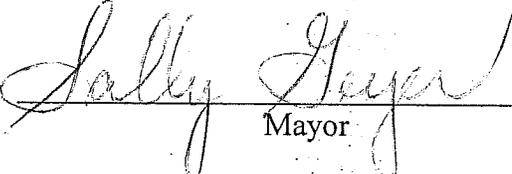
Mayor Geyer made the following announcements:

- The next Council meeting will be Monday, July 16, 2012 at 7:00 p.m. at City Hall.

## ADJOURNMENT

Richard Dornisch made a motion to adjourn the meeting.

  
Recording Secretary

  
Mayor