

June 1, 2009

CALL TO ORDER

A Council worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, June 1, 2009 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 May 28, 2009, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Steven Skok, Richard Gabler, Jr., Richard Dornisch, Sean Gabler, and Manager David Greene

VISITORS

Visitors included: Fred Haas, Joe Goetz, Warren Stewart, Jerry Bankovich, Matthew Pfeufer, Dan Hepner, Jacqueline Severance, Dale Bille, Richard Feldbauer, Sam Shefcyk, James Groll, Sally Wilson, Hope Weichman, Ned Jacob, Richard Sadley, Diane Cheatle, Chester Cheatle, Amy Cheatle, Amanda Cheatle, Bob Yoder, and Mike Imbrogno

**APPROVAL OF MINUTES
May 18, 2009**

Thomas Farley made a motion to approve the minutes of May 18, 2009. The motion was seconded by Richard Gabler.

Dennis Nero requested that the following statement be added to his comment regarding the proposed Veolia bidding on Page 2, "Anyone has a right to give a presentation."

All were in favor to approve the minutes of May 18, 2009 with the above noted addition.

**REPORT ON EXECUTIVE
SESSION**

Mayor Geyer stated an Executive Session was held at 6:30 p.m. regarding real estate. No decisions were made.

**CITIZEN COMMENTS
Sally Wilson,
Chamber of Commerce
re: Fireworks
Friday**

Sally Wilson, Executive Director of the Chamber of Commerce, explained that the Chamber is planning an event to raise funds for the upcoming fireworks. The event will be held on Friday, June 19th and she requested that Erie Avenue, from LaFayette Street to Diamond Street, be closed to traffic from 5:30 p.m. to 8:30 p.m. She also requested permission to utilize the City's small parking lot on Erie Avenue for the band.

Dennis Nero questioned if Erie Avenue would be kept clear in case of a fire. He was concerned, if there was a fire, those guys are going to remember the way they always go to get to the Fire Department which is on Erie Avenue and they will turn to go that way. Ms. Wilson noted it would just be

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people walking around and going into stores, etc. not actually placing chairs on the street like they did on Market Street.

After a discussion, Richard Dornisch made a motion to grant the Chamber permission contingent upon the recommendations of the Fire Chief and the Police Chief. The motion was seconded by Dennis Nero.

Thomas Farley questioned if the City is still leasing the small lot on Erie Avenue? The Manager responded yes until the parking garage is constructed.

Sally Wilson will contact the Fire Chief and the Police Chief for their opinions and recommendations.

Motion Passed

All were in favor to grant the Chamber's request.

Joe Goetz

Joe Goetz addressed Council on behalf of the concerned citizens of St. Marys who are against the proposed construction of the parking garage. Mr. Goetz said they are concerned about the funding, maintenance and operation of the garage, and felt it should be a flat parking lot. Mr. Goetz presented another petition tonight with an additional 128 signatures.

Bob Yoder, of Susquehanna Valley Development Group, and Mike Imbrogno, of ATA, will be giving presentations on the parking garage later on the agenda.

LEGISLATIVE ACTION
Consider for Adoption
 Ordinance No. 252 re:
 Parking Meters
 Hours of Operation

Ordinance No. 252 was presented amending various portions of Chapter 15, Parts 1, 5, and 6 of the City Code pertaining to on-street metered parking. Hours of operation will be 7:00 a.m. to 8:00 p.m. daily except Sundays and Federal Holidays.

Dennis Nero made a motion to adopt Ordinance No. 252. The motion was seconded by Sean Gabler.

Richard Dornisch stated he is not against adopting the ordinance but noted the metermaid is never out between 6:00 and 8:00 p.m. and people know this and do not feed the meters so why have an ordinance that is not enforced or simply unrealistic.

Thomas Farley disagreed with Mr. Dornisch, stating he received a ticket between 6:00 and 8:00 p.m. and that the parking enforcement officer is out there.

Mayor Geyer added the metermaid is on staggered hours and she is monitoring the meters during these hours on certain days.

Motion Passed

All were in favor to adopt Ordinance No. 252.

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Consider for Publication
Ordinance No. 253 re:
Fire Loss Escrow

Ordinance No. 253 was presented amending the Administrative Code, Chapter 1, Part 4 - Fire Loss Escrow Program. The City shall require casualty and fire legal liability insurance for all property owners letting property for occupancy in the City. All property owners owning property in the City shall be required to obtain a minimum of \$50,000. in fire legal liability insurance, and casualty insurance in an amount sufficient to either restore or remove the building.

Manager Greene noted the concern is that right now there are fire damaged properties within the City which are not being taken care of. The City's goal is to have properties in the City insured, not fine people. The ordinance was faxed to the Solicitor for his review.

After a discussion, Steven Skok made a motion to publish Ordinance No. 253, seconded by Thomas Farley, and all were in favor.

TOPICS FOR DISCUSSION

Bob Yoder,
President of the
Susquehanna Valley
Development Group

Bob Yoder, Susquehanna Valley Development Group, was present to discuss the parking garage. He stated bids for the garage came in good, and based on the numbers coming from Harrisburg, the garage is fully funded. Mr. Yoder stated if the CDBG funding was stopped, the government, Dept. of Housing and Urban Development (HUD) would than guarantee the \$1.8 million dollar loan.

Mr. Yoder stated money for maintenance and operation of the garage would be generated by the users of the parking garage. Parking permits will be issued to the tenants of Canadensis Building and the Marienstadt Place (one for each apartment), and 33 permits for the Career Link Office. The parking garage will have 321 spaces, double the size of the original parking lot.

Manager Greene stated the City is discussing charging about \$25. a month for parking fee permits for the garage.

Mayor Geyer asked if local contractors would be working on the garage. Mr. Yoder explained whoever is awarded the bid has control of who is hired. He noted when the Marienstadt Place and the Canadensis Building were constructed he used all local contractors, except for the electrical contractor.

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Richard Gabler asked if the Parking Garage would have an attendant or if it would be metered? Mr. Yoder responded the garage will belong to the City so it is up to them.

Mr. Yoder stated the Canadensis Building is finished and tenants will be moving in. Fifteen out of twenty six units will be occupied on Tuesday and Wednesday of this week. Plans are being made for an "Open House".

Mike Imbrogno,
Chief Executive
Officer, of ATA

Mike Imbrogno, of ATA, gave an explanation of their portion of the parking garage project. ATA has been looking for a terminal in St. Marys for years and participated in the Hyett Palmer Study. Together with the City and Mr. Yoder, a plan was created as to how ATA could best serve St. Marys. ATA is under contract to build the project and their financing is secure and fully funded. Mr. Imbrogno felt ATA will be an asset to the City. He noted the terminal will provide a place for buses to park, a place for riders to change buses, and a place where amenities can be provided to the drivers.

Dennis Nero questioned if the new terminal will have an affect on the Johnsonburg facility. Mr. Imbrogno stated the Johnsonburg facility is like a corporate headquarters not an operating facility.

COUNCIL COMMENTS

Steven Skok asked the status of Lesser's corner on Bruxelles Street. The Manager stated the schools have asked the City to wait until school is left out before the street is torn up because we are going to have to close Bruxelles Street and detour traffic.

Thomas Farley stated in their recent packet there was a comment that the Planning Commission needed Council's permission to review the Zoning Ordinance. Mr. Farley would like to put this subject to rest stating they do not need our approval. Mr. Farley researched the minutes of the Planning Commission this morning and noted the following:

January 6, 2004 - Mike Lecker requested a workshop to review the current Zoning Ordinance No. 33.

February 3, 2004 - Mike Lecker stated that it is the responsibility of the Planning Commission to review zoning and make recommendations to Council.

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June 15, 2004 - Planning Commission reviewed Ordinance No. 33 on RU, RS, RF, & RC Districts.

July 20, 2004 - Bob Kipp, Kipp Associates, made a presentation on how to review and update the current Zoning Ordinance. Mr. Kipp discussed signage, lighting, transitional zones, residential areas, and industrial areas. Cost would be \$10,000. to \$15,000. The Commission will look for other proposals.

October 5, 2004 - Commission reviewed proposals from Kipp Associates, EADS, and Harry Roth Consultant.

February 1, 2005 - Commission unanimously approved Harry Roth for the zoning update, pending approval from Council. The City had to give permission to hire Harry Roth Consultant to review the Zoning Book and make recommendations.

March 1, 2005 - The contract with Harry Roth was signed.

April 13, 2005 - First review of the Zoning Ordinance by the Planning Commission.

July 19, 2006 - Joint meeting was held between Council, Zoning Board, Planning Commission and Harry Roth to review the proposed ordinance.

August 22, 2006 - A Public Hearing was held for the proposed ordinance.

September 12, 2006 - A Public Hearing was held on the proposed new ordinance. A motion was made to send the ordinance to Council with a recommendation to adopt which is now the current ordinance.

Mr. Farley stated that the Planning Commission to say they need permission from Council to review and make recommendations to this board before they will do anything is incorrect. They can do whatever they want with the ordinance. If they feel the Sign Ordinance should be changed they should make recommendations to Council but if they feel they need permission to make changes, that is incorrect. Mr. Farley wanted to set the record straight and noted he spent considerable time this morning reviewing the Planning Commission's minutes and wanted it on record that permission is not needed from Council for them to review the ordinance.

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Dennis Nero stated he was approached by a member of the Planning Commission asking if the Commission needs Council's permission to review the ordinance. Mr. Nero noted he told her permission is not needed and also stated there are people on the Planning Commission who agree that they do not need permission from Council.

Sean Gabler felt that we should not necessarily single out Mike Lecker because we do not know who is the force behind determining that the Commission needed our permission to look at the ordinance. He commented that Mike Lecker is a good Chairman.

Thomas Farley stated he was not trying to put Mr. Lecker down, he just stated he is the Chairman of the Board and he is the one who made the comments according to the minutes of the meetings.

Mayor Geyer stated the Planning Commission has a meeting tomorrow night, June 2nd at 7:00 p.m. Businesses are encouraged to attend the meeting to express their thoughts and recommendations regarding the Sign Ordinance.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- Next Council meeting will be held on Monday, June 15, 2009 at 7:00 p.m.
- Trick or Treat Night will be held on Saturday, October 31st.

ADJOURNMENT

Thomas Farley made a motion to adjourn the meeting.

Mayor

Shirley Dicklas
Recording Secretary