

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

June 15, 2009

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, June 15, 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 June 11, 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., Sean Gabler, Manager David Greene, and Solicitor Mark Jacob - Richard Dornisch arrived late

VISITORS

Visitors included: Joe Goetz, Dan Hepner, John Grotzinger, Diane Cheatle, Chester Cheatle, Dale Bille, Richard Sadley, Jim Piccirillo, Steve Michuck, Yvonne Michuck, Albert Dippold, and Tammy Hillard

APPROVAL OF MINUTES
June 1, 2009

Sean Gabler made a motion to approve the minutes of June 1, 2009, seconded by Steven Skok, and all were in favor.

Richard Dornisch entered at this time.

CITIZEN COMMENTS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

Manager Greene presented the following report:

- May 20th, met with Gabe Uljon from ATA to discuss the Lease Agreement on the new ATA terminal building.
- On May 27th, attended the bid opening for the Plumbing Contract for the parking garage.
- Mark Jacob & I met with Steve Michuck on May 28th.
- Attended the Planning Commission meeting on June 2nd.
- On June 5th, provided an update on City projects for the radio station's "Traveling Road Show" at DD's Bakery.
- June 5th, Mike Mullaney & I met with Senator Scarnati to discuss various issues.
- Met with Jim Kruggle, AC Railroad Co., on June 8th to inspect the new crossing at Environmental Drive.

Mayor Geyer asked about the covered sign on Environmental Drive. The Manager responded black-top needs placed at the crossing on each side of the railroad tracks plus railroad signs need to be put up before the sign could be uncovered.

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APPROVAL OF EXPENDITURES

Thomas Farley made a motion to approve the Expenditures for the period May 14, 2009 thru June 13, 2009, seconded by Richard Dornisch, and all were in favor.

TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of May 31, 2009. Total revenue collected for the General Fund is \$3 million or 39.48% of the budget. Tax revenue collected, as of May 31, 2009, is \$2.6 million or 66% of the budget. Total expenditures for the General Fund, as of May 31st, is \$2 million. This is 32.31% of the budget. Last year's expenditures, at this time, were at 34.89% of the budget.

LEGISLATIVE ACTION

Award Bid
re: Blacktop
Patching
Services

The following bid for "Blacktop Patching Services" was opened during a public meeting held on Thursday, June 11, 2009 at 2:00 p.m. at City Hall:

St. Marys Paving, St. Marys
19 mm binder @ \$119/ton applied
9.5 mm wearing course @ \$127/ton applied

Mike Mullaney, Public Works Director, recommended that the bid for the "Blacktop Patching Services" be awarded to St. Marys Paving per the above rates.

Dennis Nero made a motion to award the bid to St. Marys Paving for blacktop patching, seconded by Steven Skok, and all were in favor.

Consider for Adoption
Ordinance No. 253
re: Fire Loss
Escrow Program

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.

Solicitor Jacob asked Council to consider tabling this ordinance, at this time. He stated several issues have arisen since this ordinance was reviewed, including some of the wording, possible enforcement issues, etc. Mr. Jacob and the Manager will report back to Council regarding this ordinance or a similar one.

Richard Dornisch made a motion to table Ordinance No. 253, seconded by Dennis Nero, and all were in favor.

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Consider for Publication
Ordinance No. 254
re: Reduce the posted
speed limit on
Fleming Road

Ordinance No. 254 was presented amending Chapter 15, Part 2, Section 201 of the City Code pertaining to maximum speed limits established on certain streets. The City desires to reduce the posted speed limit on Fleming Road from the existing 25 miles per hour to 15 miles per hour along the entire length of Fleming Road from South Michael Street to the entrance of Benzinger Park.

The Manager stated the City received requests from residents to reduce the speed limit on Fleming Road.

Sean Gabler made a motion to publish Ordinance No. 254. The motion was seconded by Dennis Nero.

Manager Greene noted a speed bump has been installed and the Police Department has set-up radar checks. The Police clocked 1,100 cars at an average speed of 14 mph but one was over 40 mph.

The Manager stated roads that are included in PennDOT's Liquid Fuels program cannot be enforced if the speed limit is under 25 mph. The roads can be posted 15 mph but cannot be enforced.

A discussion was held regarding the enforcement of a lower speed limit. Solicitor Jacob noted he contacted Mike Mullaney and questioned if there are other streets posted at 15 mph. Mr. Mullaney informed him that there are quite a few, especially around the parks.

Solicitor Jacob suggested that Council table this matter and not publish the ordinance, at this time, so he can look at the enforceability of the ordinance. He also felt more discussions should be held regarding the ordinance.

Motion Denied

All were in favor to oppose the motion to publish Ordinance No. 254.

TOPICS FOR DISCUSSION

There were no topics for discussion.

CITIZEN COMMENTS NON-AGENDA TOPICS

Joe Goetz

Joe Goetz addressed Council, once again, regarding the proposed parking garage representing approximately 800 concerned citizens. He asked what would be the cost to the City for an alternate to the parking garage, such as a flat garage or a flat parking lot?

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Regarding the grants awarded, Mr. Goetz asked if they can be utilized for anything besides a parking garage? Mr. Goetz asked what is the liability to the City if the City moves in the direction of an alternate to the parking garage? How much money has the City spent?

Mr. Goetz stated he is still concerned regarding the Section 108 loan. He stated Mr. Haglund stated, at a previous meeting, the City would be liable for the loan if CDBG monies were discontinued. Then at another meeting, Mr. Yoder, the Developer, noted the City would have no liability, and that HUD would step-up and pay the City's indebtedness. Mr. Goetz felt the City Solicitor should check into this issue and put it in writing.

Mr. Goetz also asked how much indebtedness the City has so far? Another concern he has, is the availability of HUD to back up the City.

In reference to Mr. Goetz's last question about HUD, Dennis Nero stated he made some phone calls after Mr. Yoder's presentation and it seems like the right hand does not know what the left hand is doing. He stated one organization told him the City would not be liable for the repayment of the loan when CDBG funds run out but the State Government said the City would be liable. Mr. Nero would like something in writing. A "Conference Call" will be arranged to discuss the issue.

Mr. Goetz's other questions will be out in writing by the Manager.

Tammy Hillard

Tammy Hillard stated she is representing residents of West Mill Street who are concerned about the safety of their children. She noted last week, her daughter was hit by a car stating she is fine but the next time we may not be so lucky. There are no signs stating "Watch Children" or "Children at Play" and requested a sign be placed on the street. She also requested the speed limit be reduced from 25 mph to 15 mph and noted one speed limit sign is hidden by a lilac bush. A petition from the residents was turned over to the City.

Jim Piccirillo

Jim Piccirillo questioned the status of the Teaberry Road Bridge. He was informed the bridge was rebid and that the bids will be opened this Thursday, June 18th at 2:00 p.m.

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John Grotzinger

John Grotzinger asked what is the City's policy concerning unmowed grass? He stated he owns property on Rosalie Road and rents it out. The properties next to it have been abandoned and the grass has not been cut. Rats were seen. Mr. Grotzinger also questioned the City's position on abandoned houses.

Manager Greene responded the individuals who own these properties have filed for bankruptcy and neither the former owners nor the banks will claim the properties. He noted the City spent more than \$800. mowing lawns last year.

Solicitor Jacob stated, as the economy gets worse, the City will see more and more cases of banks not wanting to foreclose on properties because they do not want to get stuck with them. These are not the only properties the City is having issues with. Hopefully, the properties will go to sheriff's sale and the City can get their costs back. The City is trying to resolve the issue and is looking at options, but at this point, there are no answers. If the City condemns the properties, they would be stuck with them.

John Grotzinger will be willing to take over the property where his parents had lived in the past, if the City can provide him with a contact person. The Manager will provide a phone number.

Diane Cheatle

Diane Cheatle, of Elk Waste, asked why the City hasn't ordered recycling bins which residents need? Ms. Cheatle stated she contacted the City last summer for additional bins. She noted the bins are no cost to the City or the Taxpayer. They are paid for by a grant from the State.

COUNCIL COMMENTS

Richard Dornisch stated that the "Do Not Stop on Railroad Tracks" sign on N. Michael Street should be removed or moved. The Manager will check with PennDOT because it is their sign.

Mayor Geyer requested the status of the railroad tracks in front of TKS Computer Service. Manager Greene stated they are scheduled for replacement.

Mayor Geyer also asked about the "Water Front" on the Bruxelles Street corner. The Manager stated this problem will be taken care of after the 4th of July.

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ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- Next Council meeting will be held on July 6, 2009 at 7:00 p.m.
- Girl Scout Junior Troop 20234, ages 9 and 10, under the supervision of co-leaders Amy Anderson, Barb Daniels, and assisted by Mimi Troha cleaned-up debris along Jackson Road on June 8th. The troop worked in association with the PA Cleanways Program.
- A rabies clinic will be held at the Elk County Humane Society on June 27th from 10:00 a.m. until noon.

ADJOURNMENT

Sean Gabler made a motion to adjourn the meeting.

Shirley Dicklas
Recording Secretary

Mayor