

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

457

March 16, 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, March 16, 2009 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of the meeting was sent to Council Members on March 12, 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, City Manager David Greene, and City Solicitor Mark Jacob

VISITORS

Visitors included: Chief Todd Caltagarone, Daniel Hepner, Warren Stewart, Richard Sadley, and Bruce Gibbons

APPROVAL OF MINUTES
March 2, 2009

Richard Gabler made a motion to approve the minutes of March 2, 2009, seconded by Richard Dornisch, and all were in favor, except Sean Gabler who abstained.

CITIZEN COMMENTS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

Manager Greene presented the following report:

- February 16th, met with Bob Yoder to discuss the on-going projects in Depot Street area.
- On February 19th, Carol Muhitch and I met with representatives from Allegheny Power to discuss the street lights. The City's bill for street lighting increased 12% this year and is estimated to increase 12% in 2010.
- Met with members of the West Creek Rails-to-Trails Association on February 24th to discuss the trail between St. Marys and Emporium. The association needs \$7,500. to complete a Trail Feasibility Study.
- On February 26, met with Dave Fife from Quad Three Group to finalize plans for the former Industrial Steel clean-up project. Work is expected to begin on March 16th and take about four weeks to complete.
- Met with Dee Kaplan, Deputy Secretary for Business Assistance, and Scott Dunkleberger, Director of Bureau Grants for DCED, on February 27th to tour various sites and projects in the City that DCED has funded.
- March 3rd, met with Howard Brush, Governor's Office, to discuss future funding for various projects within the City.
- On March 5th, met with Greg Machovitch and Kevin Redfoot from National Fuel to discuss the replacement of gas lines on Depot St.

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- March 6th, I was a guest of the River 98 Road Show held at DD's Bakery. I discussed various items pertaining to the City.
- On March 9th, attended the St. Marys School Board meeting to answer any questions that the Board Members may have in reference to the KOZ Resolution.

The Manager read a letter to PennDOT from the City requesting a traffic and engineering study be undertaken at the intersection of Route 255, East Arch Street, and West Arch Street. Safety issues at this offsetting intersection is the reason for this request.

The letter further stated PennDOT has indicated a written financial commitment from City Council for signal changes will be necessary before they will perform a new traffic analysis, new counts, and a new permit if deemed appropriate. This letter will serve notice that the City will financially commit local funds for the signal improvements at this location.

Dennis Nero made a motion to approve the letter to PennDOT, seconded by Sean Gabler, and all were in favor.

APPROVAL OF EXPENDITURES

Dennis Nero made a motion to approve the Expenditures Report for the period February 14, 2009 thru March 13, 2009. The motion was seconded by Thomas Farley.

Dennis Nero questioned the check to R&L Landscaping for \$65.00 for snow shoveling. The Manager explained two residents on Mill Street will be billed for this expense. Mr. Nero also inquired about the check to Tech Services in the amount of \$7,955. regarding the Wal-Mart Traffic Light. The Manager responded the City will be reimbursed.

Thomas Farley stated he called the Finance Director on the same two items that Mr. Nero questioned and was told the City will be reimbursed. Mr. Farley also questioned the check for Spring Green in the amount of \$899.62 for lawn services. The Finance Director informed him that the \$899.62 was a discounted amount for summer maintenance if the City pays them in advance.

Motion Passed

All were in favor to approve the Expenditures Report.

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TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of February 28, 2009. Total revenue for the General Fund as of 2/28/09 is \$392,508. or 6.46% and total expenditures are \$613,683. or 10.09% of the budget. Last year, at this time, revenue was \$348,932. and expenditures were \$650,970. The City should be receiving a portion of the real estate tax revenue by the end of March. Pension plans continue to drop in market value.

LEGISLATIVE ACTION
Consider for Adoption
 Ordinance No. 250
 re: New Sanitary
 Sewer Laterals and
 Extensions
 Regulations

Ordinance No. 250 was presented amending Chapter 18, Part 1, Section 104 establishing regulations for the installation and costs of new sanitary sewer laterals and sanitary sewer extensions within the City. The Ordinance was properly advertised on March 6, 2009.

Steven Skok made a motion to adopt Ordinance No. 250, seconded by Richard Gabler, and all were in favor.

Resolution No. 09-11
 re: Decertification
 of KOZ Land at the
 St. Marys Airport
 Industrial Park

Resolution No. 09-11 was presented removing exemptions from Real Property, Earned Income Tax, Net Profits Mercantile, and Business Privilege Taxes within a specific geographic area in the City designated as a Keystone Opportunity Expansion Zone within the City upon certain terms and conditions.

Manager Greene stated Resolution No. 09-11 would decertify 3.6 KOZ acres at the Airport Industrial Park and transfer the KOZ acres to the Depot St. area. He noted the St. Marys Area School Board of Directors unanimously denied the decertification of the KOZ land located at the airport and transferring the land to the downtown area. The board was opposed to the construction of a hotel and restaurant.

The Manager asked Council to adopt Resolution No. 09-11 which just decertifies the KOZ land at the airport. He stated the City has only until the end of May to decertify the land.

After a discussion, Mayor Sally Geyer made a motion to adopt Resolution No. 09-11, seconded by Richard Dornisch, and all were in favor, except Thomas Farley who opposed. The motion passed by majority vote.

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Award bid
re: Bid for Services

Manager Greene stated the following six bids were opened during a public meeting held on Wednesday, March 4, 2009 at 2:00 p.m. at City Hall regarding "Bid for Services":

PAPER CITY TRANSFER

Single Axle	Tandem	TiAxle	Crawler	Breaker
\$48.00	-	\$63.00	\$210.00	-

BUCKTAIL EXCAVATORS

Single Axle	Tandem	TiAxle	Crawler	Breaker
\$49.00	\$59.00	\$64.00	\$79.00	\$104.00

RYAN VOLLMER

Single Axle	Tandem	TiAxle	Crawler	Breaker
\$55.00	\$65.00	\$75.00	\$95.00	\$160.00

RUSS THOMPSON

Single Axle	Tandem	TiAxle	Crawler	Breaker
\$50.00	-	-	\$95.00	-

SAMICK BROTHERS

Single Axle	Tandem	TiAxle	Crawler	Breaker
\$60.00	\$70.00	\$80.00	\$125.00	\$150.00

DOBSON EXCAVATING

Single Axle	Tandem	TiAxle	Crawler	Breaker
\$55.00	\$62.00	\$68.00	\$92.00	\$67.75

All bid prices are per hour with an operator.

A memo was received from Mike Mullaney, Public Works Director, recommending the bid for equipment services be awarded to Bucktail Excavators being the lowest overall bidder. Services for equipment will only be used as necessary for some of the City's larger projects, such as the Eberl Street Bridge.

1st Motion

Thomas Farley made a motion to award the bid, per the recommendation of the Public Works Director, to Bucktail Excavators for the individual prices as shown. The motion was seconded by Dennis Nero.

Sean Gabler questioned when the bids were requested, did the City bid as a bundle package or for each individual service. The Manager will need to check the specifications.

Amended Motion

Thomas Farley amended his motion to table the awarding of this bid until the next meeting, seconded by Dennis Nero, and all were in favor.

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TOPICS FOR DISCUSSION
Protective Covenant
for the St. Marys
Airport Industrial
Park

Manager Greene presented the Protective Covenant for the St. Marys Airport Industrial Park listing conditions, covenants, restrictions, reservations, & easements affecting property described in Clause 1 of the agreement which lists the following clauses: Property Subject to this Declaration; General Purposes of Conditions; General Restrictions; and Grant of Right to Repurchase and Right of First Refusal.

Resolution No 09-12
 re: St. Marys Airport
 Industrial Park.

Manager Greene presented Resolution No. 09-12 adopting conditions, covenants, restrictions, reservations, and easements for the St. Marys Airport Industrial Park.

Thomas Farley made a motion to adopt Resolution No. 09-12, seconded by Dennis Nero, and all were in favor.

Canine Policy
 Chief Todd
 Caltagarone

Chief Todd Caltagarone presented an updated Canine Policy for the St. Marys Police Department and provided a summary of background information regarding the acquisition of the new Police Dog, "Copper". The purpose of this policy is to provide guidelines for the management and tactical deployment of canines for a variety of operational purposes.

After questions and concerns from Council and the Solicitor, Dennis Nero made a motion to approve the Canine Policy, with a few minor corrections, seconded by Richard Gabler, and all were in favor.

CITIZEN COMMENTS

There were no citizen comments on non-agenda topics.

COUNCIL COMMENTS

Richard Gabler announced the following recycling dates:

- Electronics recycling will be held on Saturday, April 21st from 9:00 a.m. to 1:00 p.m. Plastic bottles numbers 1 and 2 will also be collected.
- Medicine collection will be held on Saturday, April 4th from 8:00 a.m. until noon at the Elk Regional Health Center.
- Household hazardous waste collection will be held on Saturday, May 30th from 9:00 a.m. to 1:00 p.m. in the Keystone Parking Lot.
- City's Spring Clean-up day will be held on Saturday, May 16th from 8:00 a.m. to 2:00 p.m. Electronics Recycling will also be held on May 16th.

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Thomas Farley requested the status of a grant the City received for woodcarvings. Manager Greene stated the Lumber Heritage awarded an \$18,000. grant to the City under the Woodlands Project. The City needs additional funds to match the \$18,000. Once the City has the matching funds, the woodcarvings can be commissioned.

Thomas Farley also requested that the clock on City Hall be set for Daylight Savings Time. The Manager will take care of it.

Richard Dornisch felt new Police Officers should be introduced to Council and the public at a meeting.

Richard Dornisch also noted the City should sit down with Bob Yoder and the Senior Center to address their problems and dissatisfaction developing at the Center.

Mayor Geyer stated she attended the Gold Awards Ceremony for the Girl Scouts and would like to congratulate Evelyn Schwer, Frankie Crawford, and Cassie Ross.

ANNOUNCEMENT

Mayor Geyer made the following announcement:
- Next Council meeting will be held on April 6, 2009 at 7:00 p.m.

Executive Session

The Executive Session was not held.

ADJOURNMENT

Sean Gabler made a motion to adjourn the meeting.

Mayor

Shirley Dicklas
Recording Secretary