

CITY OF SAINT MARYS COUNCIL WORKSESSION

March 5, 2007

- CALL TO ORDER** A Council worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, March 5, 2007 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 Members on March 1, 2007, posted at City Hall, and published in the Daily Press.
- ROLL CALL** Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Sean Gabler, Mark Kopp, Richard Dornisch, Steven Skok, City Manager David Greene, and City Solicitor Stephen French
- VISITORS** Visitors included: Attorney Thomas Wagner, Irene Taylor, Rick Gabler, Warren Stewart, Carrie Stewart, and Richard Sadley
- APPROVAL OF MINUTES
February 19, 2007** Mark Kopp made a motion to approve the minutes of February 19, 2007, seconded by Steven Skok, and all were in favor.
- REPORT ON EXECUTIVE
SESSION** An Executive Session was held prior to this meeting on legal issues. No action was taken.
- CITIZEN COMMENTS ON
AGENDA TOPICS**
Attorney Thomas Wagner
Attorney Thomas Wagner, representing John and Phyllis Grotzinger, was present to discuss the dedication and acceptance of Crestview Road. Mr. Wagner stated he visited the site, noting that the Ambulatory Surgery Center entrance is off of Crestview Road. Off to the right, it appears another road will be constructed and at the top of the road there is a cul-de-sac with three lots for sale. Attorney Wagner felt Crestview Road is not just Grotzinger's driveway and that Council should consider taking over the road.
- After a discussion, Council noted there are still nine (9) issues that need to be addressed before the City will consider taking over Crestview Road.
- LEGISLATIVE ACTION
Consider for Adoption**
Ordinance No. 228 re:
Deferred Retirement
Option Plan (DROP)
Ordinance No. 228 was presented amending and updating the St. Marys Police Pension Plan to include a Deferred Retirement Option Plan (DROP) provision. Dennis Nero made a motion to adopt Ordinance No. 228, seconded by Mark Kopp, and all were in favor.
- Award of Bid**
Chemicals for
WWTP
Manager Greene stated two bids were opened for chemicals for the Wastewater Treatment Plant during a public meeting held on Monday February 26, 2007 at 2:30 p.m. at City Hall.

March 5, 2007

Lad Kornacki, Chief Operator of the WWTP, recommended the chemical bid be awarded to SAL Chemical for the 20% NaOH at \$6.40 per CWT and the 50% NaOH at \$11.00 per CWT for liquid caustic soda.

Thomas Farley made a motion to award the bid for chemicals according to the recommendation from the Chief Operator of the Wastewater Treatment Plant. The motion was seconded by Richard Dornisch and all were in favor.

St. Marys Youth
Center re: \$943.00
contribution

Dennis Nero stated he wanted the topic of the St. Marys Youth Center under "Discussions" not under "Legislative Action". Mr. Nero proceeded to explain the background of how the Youth Center lost their home when the Fire/Police Station building was constructed. He noted when Sylvania deeded the property over to the Borough, there was a requirement in the deed stating the Youth Center would have a home at this location. When the City tore down the building, the Youth Center had no place to go.

Mr. Nero agreed with Solicitor French that the City should not always say "yes" to charities. But, in his opinion, the City should also support the youth of the community.

Solicitor French stated the City is not the Federal Government, it is not the City's job to tax citizens and redistribute the wealth.

Dennis Nero made a motion to give the Youth Center their \$943.00 back and seconded by Richard Dornisch.

Dennis Nero stated his motion does not mean we are rescinding the taxes that they are responsible for. We are just returning \$943.00 as the City's contribution to the Youth Center.

Steven Skok asked why the donation had to be a one time occurrence. He suggested creating a line item in the General Fund for the Youth Center.

Once again, Solicitor French stated it is not a proper expenditure of tax dollars. Mr. French stated the City does not have the power to levy a tax for a special provision such as a charity.

Motion passed by
Majority vote

On a roll call vote, Dennis Nero, Steven Skok, Sean Gabler, Mark Kopp, and Richard Dornisch voted in the affirmative. Thomas Farley and Mayor Sally Geyer voted in the negative. The motion passed by majority vote.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

March 5, 2007

**TOPICS FOR DISCUSSION
Crestview Road**

Since this topic was discussed earlier, Dennis Nero felt an answer should be given to Attorney Wagner. Mr. Nero stated once all the requirements are complied with, Council would then consider the request to take over Crestview Road.

Mayor Geyer noted that even if all the requirements are met, Council still does not have to consider taking over the road.

Manager Greene stated Mr. Grotzinger is going to work with Lee Simpson Associates to get some of the issues resolved.

Thomas Farley expressed his concerns as to what happens if Mr. Grotzinger does not sell the three lots, as a private citizen, it looks like the City is maintaining a private road. Mr. Farley was also concerned about Item 9 on the list of requirements which states:

"The Deed of Dedication, which is on file if the City decides to accept the road, is incorrect. The deed needs to be redone to correspond with the new corrected subdivision and roadway right-of-way. The existing road survey is inconsistent with the subdivision plan."

Dennis Nero would like to see what is going to be actually developed. He stated all that is there are "For Sale" signs.

After further discussion, Council informed Attorney Wagner that the City will not consider taking over Crestview Road until all the requirements are met.

A Land Development Application was presented for Meadows Frozen Custard, 958 S. St. Marys Street for Council's review.

Carrie Stewart, of Hugh Engineering, stated this Land Development Application was presented to the Zoning Hearing Board on January 31, 2007 requesting four variances, as follows: rear setback; off-street parking; parking lot screening; and stacking. The variances were approved by the Zoning Board.

The purpose of this development is to construct a frozen custard parlor with a drive-thru and seating for 10-15 people.

**Land Development
Application re:
Meadows Frozen
Custard**

Carrie Stewart,
Hugh Engineering

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

165

March 5, 2007

Thomas Farley stated, according to the zoning notes, there would be enough room for cars to go around the building while cars are parked. He stated the map does not show this.

Carrie Stewart stated the front bumper of parked cars would extend over the curb giving adequate room for cars going around the building while cars are parked. She also assured Council there would be no stacking problems. It was noted there is a turning lane on the highway.

Thomas Farley requested a more scaled drawing of the proposed development. Ms. Stewart will submit a revised drawing to the City.

COUNCIL COMMENTS

Dennis Nero stated he received complaints, which he thinks the City has taken care of already, regarding sidewalks not meeting the City's snow removal ordinance, especially from the traffic light on Center Street to the old Sacred Heart School and on North St. Marys Street.

Sean Gabler thanked the four individuals who are running for Council this year.

Richard Sadley

Richard Sadley requested the bids for chemicals be read out loud. Manager Green read the following bid results:

SAL Chemical, Weirton, WV

Cost per CWT for 20% NaOH.....\$ 6.40

Cost per CWT for 50% NaOH.....\$11.00

K.A. Steel Chemicals, Inc, Lemont, IL

Cost per CWT for 20% NaOH.....\$ 6.73

Cost per CWT for 50% NaOH.....\$11.51

ANNOUNCEMENT

Mayor Geyer made the following announcement:
- Next regular Council meeting will be held on Monday, March 19, 2007 at 7:00 p.m.

ADJOURNMENT

Thomas Farley made a motion to adjourn the meeting.

Mayor

Stanley Dicklas

Recording Secretary