

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

May 15, 2006

- CALL TO ORDER** The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, May 15, 2006 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 May 11, 2006, posted at City Hall, and published in the Daily Press.
- ROLL CALL** Present: Mayor Sally Geyer, Thomas Farley, Mark Kopp, Steven Skok, Dennis Nero, Richard Dornisch, Sean Gabler, David Greene, City Manager, and Solicitor Stephen French
- VISITORS** Visitors included: Fred Haas, Bill Frey, Bob Roberts, Joe Muhitch, Tom Squires, Angela Tyger, Sam & Mary Ann Nichols, JoAnn & Cliff Mohny, Warren Stewart, Charlie Marconi, Code Enforcement Officer Matt Young, Fire Chief Bill Kraus, Health Officer Philip Fitch, Richard Sadley, Mark Mohny, Robert Sorg, Lance Mohny, Donna Anders, and Ned Jacob
- APPROVAL OF MINUTES**  
May 1 and 8, 2006 Dennis Nero made a motion to approve the minutes of May 1 and 8, 2006, seconded by Mark Kopp, and all were in favor, except Steven Skok who abstained. The motion passed by majority vote.
- PUBLIC HEARING**  
Frey Residence,  
624 Lincoln Avenue
- Solicitor Stephen French opened a public hearing regarding the condemnation of the Frey Residence at 624 Lincoln Avenue. A court recorder will transcribe the minutes of the hearing for legal documentation.
- Solicitor French called Matt Young, City's Code Enforcement Officer, to testify.
- Matt Young,  
Code Enforcement  
Officer
- On June 9, 2004, Matt Young completed a visual inspection of the property following a complaint. Mr. Young then explained all the correspondence the City sent to the property owners. A video of the residence was also shown to Council.
- Solicitor French questioned Matt Young regarding the interior and exterior of the structure and the outside premises.
- The last letter sent by the Code Enforcement Officer was dated April 19, 2006 serving as notice of tonight's public hearing. The letter was sent Certified mail with a return receipt to Carol M. Frey and William E. Frey, Box 111, Hazelhurst, PA.
- Matt Young recommended that a full "condemnation to destroy" be made by Council.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

55

May 15, 2006

Philip Fitch,  
Health Officer

Philip Fitch, employee of the PA Department of Agriculture and Health Officer for the City of St. Marys, was next to testify. Mr. Fitch recommended that the residence be condemned due to health concerns.

Bill Kraus  
Fire Chief

Next to testify was Fire Chief Bill Kraus. Chief Kraus recommended that the structure be condemned due to unsafe conditions. He noted that if a fire started inside the residence and it remained unoccupied, he would not send his firefighters inside due to the unstable floors, piles of debris, and the unsanitary conditions. Chief Kraus added that the Fire Department would fight the fire from only the outside of the structure.

Solicitor French asked if anyone present would like to make a comment at this time.

Angela Tyger

Angela Tyger, a resident of Theresia Street, was in agreement that the structure should be condemned because of dealing with rats from the property for years. Ms. Tyger was also concerned for the safety of her two young children.

Tom Squires

Tom Squires, resident of Theresia Street, was also concerned about the rat population. He was in favor of condemning the structure.

Hearing closed

Solicitor French closed the hearing at this time. Mr. French advised Council that they can either place a motion on the floor this evening or can take the evidence under advisement and wait until the transcript of tonight's hearing is prepared, review the transcript and issue a written decision at that time.

Motion to  
Condemn the  
Structure at  
624 Lincoln Ave.

Dennis Nero made a motion to go with the recommendation of the Code Enforcement Officer to condemn and destroy, seconded by Richard Dornisch and, on a roll call vote, Dennis Nero, Richard Dornisch, Mark Kopp, Sean Gabler, Steven Skok, Thomas Farley and Mayor Sally Geyer all voted in the affirmative. The motion passed.

Solicitor French noted that he will submit his written findings to Council for their signatures which will make the decision final. He also stated that the property owners have the right to appeal the decision.

**CITIZEN COMMENTS ON  
AGENDA TOPICS**

Donna Anders asked when the owners could retrieve the remainder of their belongings.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

May 15, 2006

Solicitor French stated because the structure is unfit for human occupancy, the owners would have to coordinate the retrieval of their belongings with Matt Young. He added the City cannot assume the liability of the owners going inside by themselves. Mr. French noted that they would have to obtain professional help at their expense.

## MANAGER'S REPORT

Manager Greene presented the following report:

- Met with Rick Ricotta from Coldwell-Banker to discuss the option on the Ed Burkett property.
- Met with Lee-Simpson and Associates to discuss various options for addressing the Elk Creek flooding.
- Met with Bob Yoder to review plans for "Impact St. Marys".
- On April 19th, attended a Stackpole-Hall Economic Dev. Focus Group meeting in Johnsonburg.
- Tim Brennan and I met with Don Kunkle at Advanced Recycling to discuss plans for future development and infrastructure.
- On April 28th, attended the Arbor Day Ceremony on the Diamond.
- Attended the Planning Commission meeting on May 2nd to hear plans regarding Sheetz.
- Tim Brennan and I attended a meeting at the Airport on May 3rd to review plans for the industrial access road.
- On May 3rd, attended a meeting at City Hall with the West Creek Rail-to-Trails group.
- Attended a meeting at North Central on May 4th to outline plans for the LTAP training program.
- Met with the Elk Co. Commissioners, Planning Dept., Conservation Dept., and Lee-Simpson and Associates to discuss the Growing Greener II program in reference to Elk Creek.
- Tina Gnan and I along with six Elk County residents attended a breakfast meeting with Senator Scarnati in Emporium.
- On May 9th, attended the Parking Authority meeting to discuss future plans for the Depot St. Parking Lot.
- Tim Brennan and I met with Roy Zug, Gannett-Fleming to discuss plans for the Airport Industrial Park.
- Tim Brennan and I attended a meeting in Clearfield on May 12th at the Gannett-Fleming offices with personnel from PennDOT, Gannett-Fleming and Sheetz to discuss the Traffic Impact Study.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

57

May 15, 2006

**APPROVAL OF EXPENDITURES**

Dennis Nero made a motion to approve the Expenditures for the period April 13, 2006 thru May 12, 2006, seconded by Thomas Farley, and all were in favor.

**TREASURER'S REPORT**

Mayor Geyer presented the Treasurer's Report for April 30, 2006. As of the end of April, the City collected 27.5% of the Real Estate Tax Revenue, down from last year of 34% collected. Earned Income Tax collected as of April 30th is at 32% up from last year of 25%. The liquid fuels tax revenue was received in April totaling \$322,672.61. Last year, the City collected \$301,558.82 in liquid fuels funding. This money will be used to maintain the roads, drainage and signage in town along with the first payment of the road improvement project from last year.

**LEGISLATIVE ACTION**  
**Consider for Adoption**  
Ordinance No. 218  
amending Chapter 18,  
Section 104 Sewers  
and Sewage Disposal

Ordinance No. 218 was presented amending Chapter 18, Section 104, Sewers and Sewage Disposal of the St. Marys City Code.

Thomas Farley made a motion to adopt Ordinance No. 218, seconded by Mark Kopp, and all were in favor.

**Applications for**  
**Land Developments:**  
Sheetz, Brusselles,  
S. Michael, and  
Depot Streets

A Land Development Application was received from Sheetz located at the corner of Brusselles, South Michael and Depot Streets for informational purposes only. Proposed use will be the construction of a convenience store.

LaVaMaT, LLC,  
DeLaum road

A Land Development Application was received from LaVaMaT, LLC, DeLaum Road, for informational purposes only. Proposed use will be the construction of an industrial building.

**Subdivision Application**  
Richard S. & Mary  
Pavlock and Earl S.  
and Ann S. Heffner

Thomas Farley made a motion to approve the Subdivision Application for Richard S. & Mary Pavlock and Earl S. and Ann S. Heffner, on Taft Road. The motion was seconded by Dennis Nero and all were in favor. This application divides a parcel of land between the Pavlocks and Heffners as lot additions.

**PLCM 107th**  
**Annual Convention**

Invitations were received for PLCM's 107th Annual Convention which will be held on June 21 thru 23, 2006 at Omni William Penn Hotel in Pittsburgh.

Thomas Farley made a motion to approve any member of Council or the Manager to attend the PLCM's Annual Convention in Pittsburgh. The motion was seconded by Mark Kopp, and all were in favor. If anyone plans on attending, they should respond by Thursday so the City can take advantage of the discount.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

May 15, 2006

Downtown Blueprint  
Committee

Sean Gabler stated he did not see any progress as a result of the Hyett Palma Study or from the Downtown Blueprint Committee charged with ensuring its success. He felt the City should move forward and put the Hyett Palma Study behind them.

Motion to Dissolve  
the Committee

Sean Gabler made a motion to dissolve the Downtown Blueprint Committee and that all related materials be turned over to the City Manager. The motion was seconded by Thomas Farley.

Dennis Nero felt that citizens need to know that some of the Hyett Palma's recommendations are unattainable by the City.

Thomas Farley felt the Downtown Blueprint Committee has lost its focus. He stated the committee has been in existence for about 18 months and during that time, they have not made one recommendation to Council or the Manager.

Richard Dornisch expressed his disapproval of these types of studies.

On a roll call vote, Richard Dornisch, Steven Skok, Thomas Farley, Dennis Nero, Mark Kopp, Sean Gabler, and Mayor Sally Geyer all voted in the affirmative to dissolve the Downtown Blueprint Committee.

## COUNCIL COMMENTS

Thomas Farley noted that the Governor has temporarily suspended prevailing union wages for road maintenance projects. He questioned how this will affect the City's budget? Manager explained that if the prevailing union wages were used for road maintenance projects, such as resurfacing, the project would cost an additional 30%.

Richard Dornisch stated that the Bucktail Regiment will be memorialized in Driftwood on May 20, 2006 at 11:30 a.m. Everyone is invited to attend.

Steven Skok noted the City's Clean-up day will be held on Saturday, May 20th. The Electronic Recycling Center in the Stackpole Complex will be open on Saturday. Electronics may also be dropped-off on Graphite Road during Clean-up Day.

## CITIZEN COMMENTS

Bert Sorg

Bert Sorg complained about the lack of maintenance on Sugar Hill Road. He felt bids for dust control etc., should be bid out earlier in the year.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

59

May 15, 2006

Ned Jacob

Ned Jacob expressed his concerns regarding the City's road improvement program, the poor condition of sidewalks within the City, and the proposed grant for the 100' Aerial Fire Truck.

Bob Roberts

Bob Roberts suggested that citizen comments on non-agenda topics be at the beginning of all Council meetings. Mr. Roberts also opposed the forming of any more citizen committees.

**ANNOUNCEMENT**

Mayor Geyer made the following announcement:

- Next Council worksession will be held on Monday, June 5, 2006 at 7:00 p.m.

**ADJOURNMENT**

The meeting was adjourned on a motion made by Dennis Nero.

\_\_\_\_\_  
Mayor

Shirley Dicklas  
Recording Secretary