

May 18, 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, May 18, 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 14, 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: Jeffrey Schatz, Jeffrey Wolff, Jennifer R. Wolff, Joseph W. Goetz, Jim Piccirillo, Bruce Wehler, Dale Bille, Mark Hasselman, Anthony Wickett, Richard Sadley, Tom Schatz, Edie Schatz, Herb Hoffman, Sam Asti, Desiree Rawlings, Robert Smith, Daniel Hanes, Ryan Wehler, Mary L. Gerg, Shirley Stewart, Jeanie Groll, Albert A. Dippold, John Buerk, Sam Shefcyk, Kathy Clausen, Rich Clausen, Dennie Buerk, Donald Beimel, Rita Wiesner, Tom Wiesner, Virginia Eckert, Nancy Eckert, Diane R. Cheatle, Anita Groll, James Groll, Adeline Cheatle, Chester Cheatle, Jason Detsch, Eric Groll Allan Groll, Glenn Sorg, Rick Bernhard, Germaine Geiser, Warren Stewart, Tom Schloder, Carol McGill, John McGill, Chris Buerk, Gregory Fitzgerald, Todd Anderson, Julie Anderson, G. T. Belsole, Valerie Erich, Harold Palmer, Bud Bloam, JoAnn Mohney, Lance Mohney, Andrew Mohney, John Murone, Sally Murone, Ned Jacob, Bob Mohr, Don Asti, Kurt Nesbitt, Edie Hanes, Mike Hanes, Larry Gleixner, Jane Gleixner, Mr. Mancuso, Rose Imbrogno, Lorraine Garbic, Warren VanZanten, Bill Minnick, Ed Yahner, Michael Carlini, Don Henricits, Ken Young, Yolanda Wolfel, Dennis McGill, Gibby Buerk, Blaine Stauffer, Sr., Margie Fitzgerald, Carl Brennan, Fred Krug, Marc Nero, Don Bleggi, Steve Michuck, Yvonne Michuck, Frank Straub, Richard Sarginger, Peter Schlimm, Dennis Dornish, Kate McConnell, Deb Schneider, Craig E. Smith, David L. Snyder, Harold Neiswonger, Jim Hoffman, Gordon Cheatle, Patricia Catalone, Mary Catalone, James Robinson, Ken Wolfe, Amy Cheatle, Amanda Cheatle, Blaine Stebick, Matt Pfeufer, and Tina Gradizzi

APPROVAL OF MINUTES
May 4, 2009

Sean Gabler made a motion to approve the minutes of May 4, 2009, seconded by Richard Dornisch, and all were in favor.

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SPECIAL PRESENTATION
Recreation Board
Pool Committee

Ken Wolfe, Kurt Nesbitt, Blaine Stebick, members of the Recreation Board Pool Committee, were present to bring Council up-to-date on what the Pool Committee is doing. Mr. Wolfe gave a brief history of the pool regarding maintenance. He stated in 2007, a consultant was hired to do a feasibility study at a cost of \$39,500. which was paid 100% with private funds. Mr. Wolfe stated that the committee is trying to improve the Recreation Board's finances, meet the needs of the citizens, increase the memberships, extend the life of the current pool as long as possible, and allow the Recreation Board to move forward. He also explained the options provided by the consultant Councilman-Hunsaker.

**MOTION TO CHANGE
AGENDA**

Mayor Sally Geyer made a motion to move up the "Proposed Veolia Bidding" from the bottom of the agenda under Topics for Discussion to the top and to allow Council members to express their thoughts and opinions. The motion was seconded by Richard Dornisch, and all were in favor.

Mayor Geyer

Mayor Geyer stated Council listened to a presentation from Ed Yahner, Veolia Environmental Services, and had no idea what was going to be proposed. She said we were blindsided. The Mayor expressed her opinion stating that it was an insult for someone from out-of-town to come to St. Marys and make a proposal knowing that two local businesses would be put out of business.

Deputy Mayor Nero

Deputy Mayor Dennis Nero felt it wasn't an insult for the presentation to be done, but will not vote for something that would put two local haulers out of business.

Councilman Gabler

Councilman Sean Gabler said Council did vote 7-0 to have the bid specifications prepared because anytime the City can save \$100,000. and residents bills can be lowered, its worth investigating and that the savings would be immediate but that it would endanger two businesses, which would mean there would not be any competition. He questioned if it would be a fair bid considering that Veolia owns the landfill and controls the tipping fees of the other two haulers and will now vote no.

Councilman Farley

Councilman Thomas Farley stated Mr. Yahner was present at the last Council meeting and presented a single hauler concept and felt he did not see a problem with a single hauler concept. Mr.

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Farley stated he realized that Veolia is a big organization but was being open-mined and that perhaps Mr. Groll and Mr. Cheatle could create a partnership to become the low bidder.

Jim Groll

Jim Groll, owner of Groll's Disposal, said he has been in business in St. Marys for 54 years and never needed a partner before. He noted he earned his customers one by one.

Councilman Gabler

Councilman Richard Gabler said it is the Councils' duty to allow the presentation from Mr. Yahner and investigating if it would save the City \$100,000., but after looking at the issue further, he felt a one hauler system is not right for St. Marys at this time.

Councilman Dornisch

Councilman Richard Dornisch stated Veolia had a right to do a presentation, but felt it was not an emergency and should have not been added to the agenda before the public had the opportunity to review the proposal. Mr. Dornisch reiterated his support of a free-market but does not want to see a monopoly that could lead to price-fixing and cronyism. He opposed the one-hauler system.

Councilman Skok

Councilman Steven Skok said when this idea was brought up to the Recycling Committee he was not in favor of it then and is still against it.

Jim Groll

Jim Groll, of Groll's Disposal, thanked the audience for their support and provided Council with a petition of 2,500 names against a one-hauler system.

Chester Cheatle

Chester Cheatle, of Elk Waste Services, Inc., stated he has been in business for 31 years and was happy the community turned out to support them.

Ed Yahner

Ed Yahner, Veolia Environmental Services, stated he did not ask to attend the last Council meeting to do a presentation on a single hauler garbage system but was invited by the City Manager. He noted he did not go to the meeting to ambush anybody but went to discuss the benefits of a single hauler system. He stated the Manager was looking for a way to save residents money. Mr. Yahner stated since the presentation, a lot of misinformation has been distributed and he is very unhappy with the way his company has been portrayed.

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Mayor Sally Geyer made a motion to rescind Council's motion to have the Manager prepare a bid proposal, seconded by Sean Gabler, and all were in favor.

MANAGER'S REPORT

David Greene presented the following report:

- April 22nd, attended NCRPDC's meeting.
- On April 24, toured the Apollo Theatre with Lt. Governor Joe Scarnati, Deputy Mayor Dennis Nero, Tina Gradizzi, and members of the Redevelopment Authority.
- Met with Bob Ayoob on April 27th to discuss the Depot St. Parking Garage Project.
- April 27th, Carol Muhitch and I attended a webinar meeting at SMAHS regarding Act 32 Income Tax Collection.
- On May 7th, attended a meeting at North Central to discuss the formation of a Regional Industrial Development Corp.
- May 15th, I attended the Grand Opening of the new "Cozy Afghan Bed & Breakfast" on Center Street.

APPROVAL OF EXPENDITURES

Steven Skok, made a motion to approve the Expenditures Report for the period April 12, 2009 to May 13, 2009, seconded by Richard Gabler, and all were in favor.

TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of April 30, 2009. As of the end of April, the City collected 17.17% of the Real Estate Tax Revenue, up from last year of 17.13% and in 2007, 16.61%. Earned Income Tax collected as of April 30, 2009 is at 27.36% up from last year of 25.03%, and in 2007, 26.54%. On May 7th of this year, the City collected \$2,203,030. in Real Estate Taxes and last year we collected \$2,259,882. There was an increase in the market value for the Pension Funds this month.

LEGISLATIVE ACTION

Mayor Geyer requested that Tina Gradizzi's two Resolutions be considered for adoption at this time.

Consider for Adoption
Resolution No. 09-16
re: 2009 CDBG
Application

Resolution No. 09-16 was presented by Tina Gradizzi, regarding the 2009 CDBG Application whereby the PA CDBG Entitlement Program will financially assist municipalities with a number of community development needs principally benefiting low and moderate income citizens. The City's FY 2009 CDBG Entitlement is \$371,024. with \$66,780. being earmarked for Program Administration leaving a balance of \$304,244.

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Dennis Nero made a motion to adopt Resolution No. 09-16 to submit the application, seconded by Steven Skok, and all were in favor.

Resolution No. 09-17
re: 2009 CDBG-R
Funding

Resolution No. 09-17 was presented by Tina Gradizzi, regarding 2009-R Funding. The City hereby requests, with the filing of their 2009 CDBG application of \$371,024., the additional entitlement amount of \$93,960. These additional funds have been allocated to cities through the CDBG-R Program and will be used to fund the installation of underground utilities on Depot Street, which qualifies as a low/moderate income area.

Steven Skok made a motion to adopt Resolution No. 09-17, seconded by Thomas Farley, and all were in favor.

Consider for Publication
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 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.

Thomas Farley made a motion to publish Ordinance No. 252. The motion was seconded by Steven Skok.

Richard Gabler stated this ordinance will help the Apollo Theatre with their new venture. He also suggested that maybe the meters need to be more in order. He stated there are 2 hour meters, mixed in with the 12 hour meters, plus some 15 minute parking meters.

Steven Skok stated the 15 minute parking spaces are at various locations such as the Post Office.

Motion Passed

All were in favor to publish Ordinance No. 252.

**Reject bid for the
Parking Garage
Plumbing Contract**

Manager Greene explained bids were received and opened for the construction of the Parking Garage for General, Electrical, and Plumbing Contracts. He stated only one bid was received for the Plumbing Contract and by law, more than one bid should be received. Manager requested that Council reject the Plumbing Contract bid.

Richard Dornisch made a motion to reject the bid for the Plumbing Contract, seconded by Richard Gabler, and all were in favor.

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Thomas Farley stated he was talking to the Finance Director regarding the finances for the Parking Garage. She told him the cost to construct a 3-floor garage would be \$5.4 million. Mr. Farley asked if the City ever received the \$4. million from the State.

Manager Greene explained that once the City receives a match for the grant, we can then draw down on the \$4. million. Bids were opened on April 15th and are good for 120 days.

Mr. Farley asked the status of the \$1.2 million the City is to receive from ATA for the bus terminal. Manager Greene stated we have not received the money yet and that the \$1.2 million from ATA can be used as a match.

Richard Gabler asked if we just pave the lot, would the City lose the grant money? The Manager stated the grant money can only be used for the parking garage.

**PLCM Voting
Delegate
Appointment**

Manager Greene noted PLCM will be holding their 110 Annual Convention in Lancaster on June 24-26. PLCM requested the City appoint a Voting Delegate and the Manager suggested Dennis Nero, since Mr. Nero will be attending the convention.

Richard Gabler made a motion to appoint Dennis Nero as the Voting Delegate, seconded by Thomas Farley, and all were in favor, except Dennis Nero who abstained.

**TOPICS FOR DISCUSSION
Land Development
Application
B & K Specialist,
640 S. St. Marys St.**

A Land Development Application was presented for B & K Specialists. The Land Development Plan is for a bulk plant operation including installing four underground storage tanks - one 20,000 gal, three 12,000 gal, and a 18.5'x19' steel loading rack with related pumps and piping, and installing 10'x10' frame electric shed. The tanks will be used to store auto and home related fuels, diesel, kerosene, and fuel oil. There will be no retail sale of fuel from the site. The fuel/combustible liquids permit is pending from the Department of Labor & Industry and the underground storage tank permit from DEP will be issued only after the tanks are installed.

The Planning Commission commented that the road leading to the development should be named for 911 purposes and to forward a copy of the plan to Mike Goetz of the Crystal Fire Department for review.

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Airport Authority

Thomas Farley noted that a letter was received previously from the Airport Authority stating they should receive the grant on June 9th, so Mr. Farley's opinion is that if the airport has been struggling along without the City's donation, they can go another couple of weeks until they receive the grant money.

CITIZEN COMMENTS

Joe Goetz

Joe Goetz was present as the spokesperson for the concerned citizens of St. Marys who are against the construction of the proposed City parking garage. He stated the garage places added maintenance costs on the City's already strained budget. Mr. Goetz said the concerned citizens do not want any unnecessary spending during this time of economic down turn in our community.

Mr. Goetz presented a petition to Council with 670+ signatures against the proposed parking garage. He asked that Council review them, listen to their constituents, and vote to stop the proposed parking garage. He also requested a formal cost evaluation of alternate plans for a flat parking lot, which could be maintained with existing City road equipment at minimal added cost.

Don Beimel

Don Beimel, of Don's Pizza, updated Council on what happened at the last Planning Commission meeting. He was told he was wasting his time coming to the meeting because they need written permission from Council to change the Sign Ordinance. Mr. Beimel pointed out that the Recreation Board wished to place banners at Memorial Park's ballfield to advertise businesses but were told it was illegal. He noted that the City Manager overrode the violation.

Mr. Beimel then stated he mentioned to the Planning Commission that the merchants on the highway are allowed a 200 sq. ft. sign, but that the merchants downtown are only allowed 20 sq. ft. He was told by a member of the Planning Commission that if he didn't like it, he could close his business and move out on the highway.

Richard Gabler stated, as a risk to putting down Mr. Gerber without having spoken to him, I personally would like to apologize on behalf of the City for being told to close your business and moving out to the highway being an option.

Don Beimel's solution to the Sign Ordinance is just to reinstate the old Sign Ordinance before the year 2006.

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Joe Goetz

Joe Goetz, once again, expressed his opposition to the proposed parking garage and felt it should be a flat parking lot.

Manager Greene stated he would contact the State to see if the grant money can be used for a level parking lot instead of a parking garage. If not and if Council wants to go with a level parking lot, the money would have to be returned to the State, and tax dollars would be used to paye the level lot.

Bud Bloam,
City Tax Collector

Bud Bloam stated, as being the City's Tax Collector, it is his duty to report Tax Payers' concerns to City Council as follows:

- No. 1 issue is the parking garage. They are concerned their taxes will go up.
- No. 2 issue is the airport. Also concerned about taxes going up to support it. They feel they receive no benefit from the airport.
- No. 3 is the airport KOZ. They feel nothing is happening at the industrial park.

Mr. Bloam noted \$2.2 million in taxes was collected this year, short \$70,000. from last year.

Jim Piccirillo

Jim Piccirillo requested the status of the Teaberry Road Bridge. Manager Greene stated as soon as the City receives the specifications from Palo Engineers, the project will go out for bid. The amount of \$50,000. has been budgeted for the project.

Deb Schneider

Deb Schneider stated her yard was damaged last year when the airport project was being constructed. Manager Greene noted a gentlemen from Palo Engineers will be meeting with him tomorrow concerning the damages.

COUNCIL COMMENTS

Richard Gabler was approached by Dennis Posteraro to give a summary of the upcoming events of the Recreation Board, as follows:

- Join Now Campaign - \$40.00 is being offered off of swimming pool memberships if purchased on or before June 5th.
- Registration Weekend - Friday, May 29th and Saturday, May 30th at the Franklin Center. Individuals may sign up for the swimming pool memberships, swimming lessons, and for other summer activities.
- Local radio stations will have an inflow of activities during the summer.

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Sean Gabler would like to see more involvement from the residents regarding City business. We have three Council spots open with only two individuals running. He would like to encourage people to get involved.

Dennis Nero agreed with Sean Gabler's comments.

Richard Dornisch would like Council to consider a policy that presentations need to be put on the agenda two weeks before so the public can become aware.

Steven Skok stated he appreciated all the phone calls he received from the residents regarding the garbage haulers.

Thomas Farley noted he also appreciated all the calls because it gave him a different perspective regarding forming a partnership between Jim and Chester. Mr. Farley felt this issue should have been discussed privately.

Thomas Farley stated he was approached by a young resident of the City. The youth wondered if there could be an indoor skate park, basketball hoops, winter video games, X-Box, at the former Wal-Mart building. Mr. Farley asked the Manager if he could follow-up on the youth's idea.

Dennis Nero commented that the above idea was proposed for the Kaulmont Park but felt the former Wal-Mart building is a good idea.

Mayor Geyer told Mr. Groll and Mr. Cheatle, that they must be running their businesses right because they have a big fan club.

ANNOUNCEMENT

Mayor Geyer made the following announcement:

- Next Council meeting will be held on June 1, 2009 at 7:00 p.m.

ADJOURNMENT

Richard Gabler made a motion to adjourn.

Mayor

Shirley Dicklas
Recording Secretary