

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

May 21, 2007

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 21, 2007 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 on May 17, 2007, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Steven Skok, Mark Kopp, Thomas Farley, Richard Dornisch, Sean Gabler, City Manager David Greene, and City Solicitor Stephen French

VISITORS

Visitors included: Matt Young, Bob Bauer, Tina Gnan, Matthew Pfeufer, Richard Sadley, Warren Stewart, Bud Bloam, Rick Gabler, Jr., Chester Cheatle, Diane Cheatle, Matt Quesenberry, and 13 members of Boy Scout Troop 199

APPROVAL OF MINUTES
May 7, 2007

Thomas Farley made a motion to approve the minutes of May 7, 2007, seconded by Steven Skok, and all were in favor, except Mark Kopp who abstained.

SPECIAL PRESENTATION
Michele Nestor
re: Recycling Plan

Michele Nestor, Nestor Resources, Inc. gave a presentation listing options for the City's Recycling Program. Ms. Nestor prepared a Residential Curbside Recycling Analysis for the City of St. Marys. The analysis listed the following:

Goal:

Cost effective compliance with Act 101.

Status:

- Mandate requires St. Marys to offer curbside collection to all residents.
- PADEP will not waive this requirement.
- PADEP willing to consider alternative drop-off collection to "remote" areas
- PADEP considers inability/unwillingness to cover cost in General Fund unacceptable reason for non-compliance, as other options are available.
- 75% of all homes in St. Marys are currently serviced at curbside.
- 80% of homes on City or State roadways are currently serviced at curbside.
- 18% of all homes that are potentially eligible remain unserved.

Objective:

- Provide curbside service to the most feasible amount of the potentially eligible homes.
- Provide once per month drop-off service in the remaining areas.

May 21, 2007

Ms. Nestor also reviewed the route averages, the current cost for curbside recycling, project cost for circuit rider drop-off program, and funding mechanisms such as; General Fund budget adjustments; tax increase; user fees; adopt ordinance requiring all residents to contract with the hauler of their choice for curbside collection of garbage that includes recycling for one bundled rate; or municipal contract for bundled services with hauler billing.

Thomas Farley expressed his concern regarding contamination of the rider drop-off containers. Ms. Nestor noted manning the site and education is the only way to stop contamination.

Ms. Nestor felt more education is needed. Dennis Nero asked if education creates another 20%, will it overload the recycling truck and can this be done with one truck? Ms. Nestor felt one truck should be sufficient and not overloaded.

Richard Dornisch asked where could the drop-off containers be placed to avoid contamination. Ms. Nestor felt they should be placed in more visible areas or just one centralized location.

Sean Gabler asked where will the additional 800 homes come from? Ms. Nestor noted the additional homes would be located on North St. Marys Street, Benzinger Road as far as Monroe Road and just past Lecker Road. She stated 800 homes would be the maximum amount and that 500 homes would be the minimum amount for additional curbside recycling.

Michele Nestor stated the City's Action Plan has been submitted to DEP and that they accepted it.

There were no citizen comments on agenda topics.

**CITIZEN COMMENTS
ON AGENDA TOPICS**

MANAGER'S REPORT

The Manager presented the following report:

- Mike Mullaney and I met with representatives from the AFSCME Union to discuss various issues.
- Attended the Day of Prayer ceremony at the Fire Hall on May 3rd.
- On May 4th, Mike Mullaney and I met with Mark Adams from Senator Scarnati's office, Michele Mays from PennDOT, representative from Allegheny Power and Windstream to discuss the poles in the middle of the sidewalk on Maurus Street.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

May 21, 2007

- Carol Muhitch and I met with a representative from the cable company to discuss a new contract.
- May 10th, attended a meeting in Clarion with Monica Hoffman to discuss plans for the Elk Creek Park. Monica Hoffman is our DCNR advisor for this project.
- Attended an OEDP meeting on May 16th in Ridgway to update the committee on the Airport Industrial Park Project.

Matt Young re:
GIS Contract

Manager Greene asked Matt Young to explain his request regarding the City's contract with Guardian Inspection Services, as a third party inspection agency to complete building inspections within the City.

Matt Young said he was notified by Bill Chittester, GIS Regional Manager, that he has resigned. Ted Polinski is employed by GIS and does all the City's inspections. Mr. Young would like to terminate the City's contract with GIS and hire Ted Polinski as a full-time City employee. A copy of the contract with GIS was faxed to the City Solicitor.

Thomas Farley asked what certifications Ted Polinski still needs. Mr. Young replied there are three more commercial certifications but that he has until June, 2009 to acquire them. He is grandfathered until that time period.

Mr. Young noted that in 2005, the City brought in \$50,249.00. in fees and in 2006 \$53,563.00. The position in the Code Enforcement Office has been budgeted as a line item in the budget as a \$60,000. expenditure to GIS.

Solicitor French stated it is a two year contract from the start date and that a written notice of the City's intent to not renew must be sent 30 days prior to the expiration date to GIS. He felt the City was already within the 30 day period and that an agreement would have to be made between the City and GIS to terminate the contract.

Solicitor French felt the contract was not very clear and suggested Council make an attempt to terminate the contract and wait for a response from GIS. If there is an issue with the response then Council can decide how to proceed.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

May 21, 2007

Steven Skok made a motion to submit the 30 day notice, seconded by Richard Dornisch, and all were in favor.

APPROVAL OF EXPENDITURES

Sean Gabler made a motion to approve the Expenditures Report for the period April 12, 2007 through May 16, 2007, seconded by Mark Kopp, and all were in favor.

TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report for April, 2007. As of the end of April, the City collected 16.61% of the Real Estate Tax Revenue, down from last year of 27.5% and from 2005 of 34% collected. Earned Income Tax collected as of April 30, 2007 was at 26.54% down from last year of 32% and 2005 25%. On May 8th of this year, the City collected \$2.3 million in Real Estate Taxes and \$296,860.75 in EMS tax. The market value in pension funds continues to increase.

LEGISLATIVE ACTION
Consider for Publication
 Ordinance No. 232 re:
 Amending Pretreatment
 Ordinance (Chapter 18)

Ordinance No. 232 was presented amending the Wastewater Pretreatment Ordinance (Chapter 18) to comply with the U.S. Environmental Protection Agency General Pretreatment Regulation amendments of November 14, 2005.

Mark Kopp made a motion to publish Ordinance No. 232, seconded by Sean Gabler, and all were in favor.

It was requested that a copy of the existing Pretreatment Ordinance be sent to Council.

Chamber of Commerce
re: Farmer's Market

A letter was received from the St. Marys Area Chamber of Commerce requesting permission to hold the Farmer's Market in the Depot Street Parking Lot on Saturday mornings from 9:00 a.m. to 11:00 a.m. beginning on July 1 and running through the second week in October.

Mayor Geyer noted that the City received a petition signed by a few citizens to prevent Furman's Farms from selling produce in St. Marys. Manager Greene stated, by State law, the City cannot stop farmers from selling their produce.

Dennis Nero made a motion to approve the Farmers' Market use of the Municipal Parking Lot from July 1st to second week in October. The motion was seconded by Richard Dornisch.

Thomas Farley questioned where the Farmers' Market would be held in the parking lot. Manager Greene responded in the 1st section near the Moose bldg.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

May 21, 2007

Motion passed

All were in favor of the motion to grant the Farmers' Market permission to use the Municipal Lot.

Recognizing the St. Marys Ambulance Service as the City's primary BLS & ALS Provider

Manager Greene stated the request of the St. Marys Area Ambulance Service came about because of a situation in Cameron County. Another BLS & ALS Provider was only going to service parts of Cameron County not the whole county. Cameron County and the Borough together passed a resolution naming the Cameron County Ambulance Service as their BLS & ALS provider to the whole county and not just certain parts of the county.

The St. Marys Ambulance Service is requesting that the City name them as their only BLS & ALS provider which would prohibit anyone from outside the area to come into City and provide that service.

Richard Dornisch questioned if the City can legally keep another service from providing BLS & ALS to the City?

Solicitor French stated he must investigate the purpose of this request before he can answer the question at this time.

Sean Gabler made a motion to table the request until there is a legal investigation, seconded by Dennis Nero, and all were in favor.

Recycling Truck and Containers

Steven Skok made a motion to table the discussion on the recycling truck and containers until the proposal is reviewed, seconded by Mark Kopp, and all were in favor.

TOPIC FOR DISCUSSION
Zoning Map Changes re:
Light Industrial, Ridgway
Road

Both Dennis Nero and Thomas Farley felt the zone from McGill Street to the City Line on the Ridgway Road should be Commercial Highway on both sides instead of the Light Industrial as the Planning Commission recommended.

Mayor Geyer noted a letter was received from residents on the Ridgway Road opposed to the zoning change.

After a discussion, Dennis Nero made a motion to send it back to the Planning Commission, by Council's majority vote, that the zone be Commercial Highway using the same description. The motion was seconded by Thomas Farley and all were in favor.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

199

May 21, 2007

**CITIZEN COMMENTS ON
NON-AGENDA TOPICS**
Charles "Bud" Bloam,
City Tax Collector

Charles "Bud" Bloam, City Tax Collector, presented a handout to Council. Mr. Bloam noted that in the commentary section of the St. Marys Home Rule Charter, Page 42, Section IX Tax Collector, it states, "The Tax Collector's office is a primary point of contact between the citizens and their local government. The Tax Collector will continue to be the recipient of the comments and criticism by taxpayers on all facets of City Operations".

Mr. Bloam stated the overwhelming majority of citizens coming into his office expressed their frustration with the tax increase of 2007 and wanted me, as Tax Collector, to express their frustration to the Manager, Mayor, and City Council. He compiled a list of the most often heard complaints in his office over the last two months. He has also enclosed copies of citizens comments written on or with their bills.

Mr. Bloam noted the EMS Taxes collected this year were \$40,800. more than last year.

COUNCIL COMMENTS

Sean Gabler stated he will not be attending the next Council meeting.

Dennis Nero requested an Executive Session be held before the next Council Meeting with the Tax Collector at 6:30 p.m.

Steven Skok noted that at the next meeting the Zoning Map changes regarding the Commercial Highway on the south side of Bruxelles Street will be discussed.

ANNOUNCEMENTS

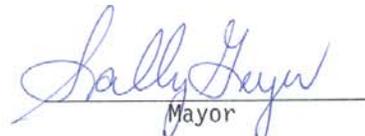
Mayor Geyer made the following announcements:

- Next Council meeting will be held on Monday, June 4, 2007 at 7:00 p.m.
- Mayor designated "Paint the Town Purple" the week of May 27 through June 2, 2007 for the American Cancer Society.

ADJOURNMENT

Sean Gabler made a motion to adjourn, seconded by Steven Skok, and all were in favor.


Recording Secretary


Mayor