

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

MAY 21, 2012

**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, 2012 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 17, 2012, posted at City Hall and published in the Daily Press.

**PLEDGE TO THE FLAG****ROLL CALL**

Present: Mayor Sally Geyer, Daniel Hepner, Richard Dornisch, Bob Roberts, Nedward Jacob, Gregory Gebauer, Gary Anderson, Manager David Greene and Solicitor Thomas Wagner.

**VISITORS**

Visitors included: Rosa Ranno, Warren Stewart, Steve Michuck, Yvonne Michuck, Tina Gradizzi, John Copelli. Matthew Pfeufer did not sign in.

**APPROVAL OF MINUTES**

May 7, 2012

Gary Anderson made a motion to approve the minutes of May 7, 2012, seconded by Daniel Hepner and all were in favor, except Bob Roberts who abstained.

**SPECIAL PRESENTATION: Zito Media**

Jim Rigas from Zito Media presented the following information:

**St. Marys Upgrades**

Band width upgrade- Change of active electronics, re-spacing of amplifiers, replacement of passive system components to support higher bandwidth which results to an upgrade from 450 Mhz to 680 Mhz

Two-way activation- Installed and activated return modules in all amplifiers, added power supplies for additional power requires, which meant a two way cable plant was necessary to support high speed data and voice services

Regional fiber network expansion  
High speed data and voice capability  
High definition and DVR options

The launch of High Definition channels would provide four different pricing options for the consumers. He provided samples of the four different adapters/receivers and DVR's.

Council asked if these upgrades would improve the current reception problems and Mr. Rigas responded it was their hope that it would help with the issues that residents were having regarding the lower broadcast channels.

Council thanked Mr. Rigas for his presentation.

**CITIZEN COMMENTS ON AGENDA TOPICS**

There were no citizen comments on agenda topics.

**MANAGER'S REPORT**

April 19- Met with Scott Dunkelberger from DCED to discuss the St. Marys Airport Industrial Park project.

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April 20- Attended the open house for the new St. Marys Community Health Center operated by DuBois Regional Hospital.

April 25- Attended the PA Wilds Conference held at the Red Fern in Fox Township.

April 27- Attended the Arbor Day Ceremony held by the Shade Tree Commission on Depot Street.

April 27- Tim Brennan and Manager met with representatives from SMC Powder Metallurgy to discuss plans for their new building at the Airport Industrial Park.

April 30- Attended the Grand Opening of the New Pizza Hut on Comfort Lane.

May 8- Attended a meeting with Rick Viglione from the PA Downtown Center to discuss Downtown Revitalization.

May 10- Met with John Reilly to discuss upcoming contract negotiations.

May 10- Met with Shane Clark from AFSCME and William Buckley PA State Mediator to discuss the upcoming negotiations with the non-uniform employees.

May 10- The Mayor and Manager met with Sheila Sterrett from Senator Toomey's office to discuss legislative issues that face the City.

May 10- Attended the Grand Opening of the new Laurel Eye Clinic on Depot Street.

May 16- Attended the CEDS meeting at the North Central offices in Ridgway.

May 17- Members of the Pension Committee met with Jeff Davidek from CS McKee to review the quarterly performance of the City's pension funds.

**(Added to agenda) Agreement of Sale, re: Airport Industrial Park Lot 8B to Dennis and Barbara Cunningham**

Manager Greene explained he was notified on today's date of a Real Estate closing to be held on Wednesday, May 23<sup>rd</sup>, 2012 for the sale of Lot 8B within the St. Marys Airport Industrial Park to Dennis and Barbara Cunningham. He requested Council approve the sale of Lot 8B to the Cunningham's.

Motion Passed

Bob Roberts made a motion to approve the Sale of Lot 8B to Dennis and Barbara Cunningham, seconded by Nedward Jacob and all were in favor.

Nedward Jacob questioned if the Manager knew when SMC would start construction of their building in the Industrial Park and Manager Greene responded he did not have an exact date but believed it would be this year.

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**APPROVAL OF EXPENDITURES**

Motion

Gary Anderson made a motion to approve the Expenditures from April 15, 2012 to May 13, 2012, seconded by Richard Dornisch.

Discussion

Gregory Gebauer questioned a line item regarding a half cost reimbursement for hospitalization and Manager Greene responded according to the Union Contract certain retirees can receive a reimbursement.

Gregory Gebauer also questioned the line item regarding a payoff of the Parking Garage loan and Manager Greene responded City money was used to pay off the loan to PNC Bank, but the City was anticipating receiving a check from the State to reimburse the General Fund.

Nedward Jacob questioned the status of the 5.5 million bridge loan to PNC Bank and Manager Greene responded the bridge loan was the loan that was paid off.

The Solicitor clarified the loan was like a line of credit for construction and Manager Greene responded correct, it was a bridge loan.

Nedward Jacob also questioned if there were any other loans outstanding for the Parking Garage and Manager Greene responded no.

Nedward Jacob then requested a summary of where all of the funds came from and where the money went for the Parking Garage.

Gregory Gebauer questioned the grass cutting of the City parks and Manager Greene responded the Recreation Board contracts and pays for Benzinger Park and Memorial Park.

Motion Passed

All were in favor to approve the Expenditures.

**TREASURER'S REPORT**

Mayor Geyer gave the following Treasurer's Report as of April 30, 2012:

As of the end of April the City had collected 18.12 percent of the Real Estate Revenue, up from last year of 16.35 percent and in 2010 18.35 percent was collected. Earned Income Tax collected as of April 30, 2012 was at 28.44 percent, up from last year of 26.24 percent and in 2010 28.26 percent was collected. On May 9<sup>th</sup>, 2012 of this year the City collected \$2,648,734 in Real estate Taxes, last year \$2,654,232 was collected.

**LEGISLATIVE ACTION:**

**Consider for publication:** Ordinance No. 275, re: Amending the provisions of Chapter 27 of the City Code, regulating oil and gas operations to conform to Act 13 of 2012.

Ordinance No. 275 was presented for consideration to publish amending the provisions of Chapter 27 of the City Code, regulating oil and gas operations to conform to Act 13 of 2012.

Matthew Pfeufer, Zoning Officer, explained the Ordinance would qualify the City for its portion of Impact Fees. The Planning Commission had a

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comment regarding the time frame for approval of a permit and Solicitor Wagner responded he would change the language.

## Motion

Daniel Hepner made a motion to publish Ordinance 275, seconded by Bob Roberts.

## Discussion

Bob Roberts questioned if changes would to be made to the Ordinance could it still be published in its current draft and Solicitor Wagner responded the Ordinance would be advertised in a summary form so changes could be made and it would not affect the publication.

Richard Dornisch questioned if the Ordinance needed to be approved by a certain date and Mr. Pfeufer responded the City had until August 14th of this year.

Solicitor Wagner commented once the Ordinance was adopted it would be sent to and examined by the P.U.C. They would notify the City of any necessary changes. He recommended the Ordinance be submitted to the P.U.C. so they could notify the City of any necessary changes before the deadline.

Richard Dornisch questioned if Council should wait to approve the Ordinance because of numerous other municipalities exploring other options and did not want the City to get "locked into anything".

Solicitor Wagner responded if Act 13 was amended or repealed the City had every right to further amend its Zoning Ordinance.

## Motion Passed

All were in favor to Publish Ordinance No. 275

## 2010-2011 CDBG Revisions with a Citywide Survey Update

Tina Gradizzi, Community & Economic Development Coordinator explained she was proposing the following for Council's consideration:

2010 CDBG Revision Request: Re-allocate the remaining funds for Housing Rehabilitation and Rental Units in the Central Business District in the amount of \$182,308.83 to the George Street project.

2011 CDBG Revision Request: Re-allocate the funds for Mertz Avenue in the amount of \$267,931 to the George Street project.

The above listed revision did not require an official Public Hearing because the George Street, Charles Street and Mertz Avenue projects have been discussed at previous public hearings and no citizen's comments were received. Therefore, Council was able to choose which project should be started first with the funding that was available.

If approved the budget to begin the George Street Project would be as follows:

2010 CDBG- \$182,308.83

2011 CDBG- \$267,931.00

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2012 CDBG- \$246,000.00  
For a total of \$696,239.83

The Engineer's cost estimate for the George Street Project was \$768,779.00

The City continues to meet the 70 percent or more of Low Moderate Income requirements of CDBG with these proposed revisions. The 2010 original project was benefiting Low Moderate Income along with 2011.

The City-wide Random Income Survey was approved and accepted by DCED and the City will be able to utilize CDBG funding for any project benefitting city wide for the next 10 years.

Motion

Nedward Jacob made a motion to approve the above mentioned revisions, seconded by Bob Roberts.

Discussion

Gary Anderson questioned if the other utilities would be upgraded and Ms. Gradizzi responded water, sewer and road improvements were included in the project.

Nedward Jacob commented the other utilities would be notified of the project.

Gary Anderson questioned if it was normal procedure to try to relocate the utilities from being under the roadway and Manager Greene responded if at all possible they would try to move them to under the sidewalk area.

Daniel Hepner questioned if new sidewalks would be included in the project and Manager Greene responded yes it would be a total reconstruction.

Motion Passed

All were in favor to approve the above listed revisions.

**TOPICS FOR DISCUSSION:**

Proposed Minor Zoning Amendments

Matthew Pfeufer, Zoning Officer, explained Council had been provided with a list from the Planning Commission of outstanding minor revisions to the Zoning Ordinance and they were requesting action on the request.

Council had a lengthy discussion regarding various revisions, especially Number 20 which was regarding placement of political signs within any public street right of ways.

Motion

Gary Anderson made a motion to publish the list of revisions with the omission of Number 20 regarding political signs, seconded by Daniel Hepner.

Discussion

Richard Dornisch questioned if the Planning Commission needed action before Council's next meeting and why it couldn't still be discussed?

Solicitor Wagner stated he would first have to prepare a draft of the list of revisions in Ordinance form and recommended no action be taken at this time. He

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requested the 2<sup>nd</sup> Council meeting in June to have a draft Ordinance ready for Council's review.

Gregory Gebauer stated he agreed to have it placed on a specific future agenda.

Amended Motion

Gary Anderson amended his motion to have the Solicitor review the proposed minor Zoning Ordinance changes and draft an Ordinance for the 2<sup>nd</sup> meeting in June, Daniel Hepner amended his second.

Motion Passed

Bob Roberts clarified the motion still included the omission of number 20.

All were in favor to have the draft Ordinance prepared, except Mayor Geyer who opposed.

Contract with City Developer

Gregory Gebauer stated at the last Council meeting he requested the Solicitor review the City's contract with the City's Developer.

Council, the Solicitor and the Manager had a discussion regarding the details of the contract, the funds utilized by the Developer's buildings within the City and the inability to terminate the contract without a substantial cost to the City.

**CITIZEN COMMENTS ON NON-AGENDA TOPICS**

Rosa Ranno

Rosa Ranno again described issues she had with a local Attorney.

Steve Michuck

Steve Michuck requested information regarding the St. Marys Railroad.

**COUNCIL COMMENTS**

Councilman Roberts

Councilman Roberts commented the Water Authority was exploring the option of collection of their water bills by the City and he encouraged that option.

Mayor Geyer

Mayor Geyer explained the "Letters from Home Program" had retired their colors and had given the flag to the City.

Councilman Hepner

Councilman Hepner questioned if the Council meeting during the Fourth of July week would be changed and it was determined it would stay on Monday the 2<sup>nd</sup> of July.

**ANNOUNCEMENTS**

Mayor Geyer made the following announcements:

- The next Council worksession will be held Monday, June 4, 2012 at 7:00 p.m. at City Hall.

**ADJOURNMENT**

Richard Dornisch made a motion to adjourn the meeting.

*Louis Lwenduski*  
Recording Secretary

*Sally Geyer*  
Mayor