

CITY OF SAINT MARYS COUNCIL WORKSESSION

NOVEMBER 1, 2010

CALL TO ORDER

A Council worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, November 1, 2010 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 October 28, 2010, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Bob Roberts, Richard Gabler, Jr., Daniel Hepner, Richard Dornisch, Dennis Nero, Steven Skok, and Manager David Greene.

VISITORS

Visitors included: Ken Young, Warren Stewart, Sally Wilson, Steve Michuck, Yvonne Michuck, Richard Schatz, and Denny Bauer.

APPROVAL OF MINUTES
October 18, 2010

Richard Gabler, Jr. made a motion to approve the minutes of October 18, 2010, seconded by Daniel Hepner, and all were in favor.

REPORT ON EXECUTIVE SESSION

An Executive session was held immediately prior to tonight's meeting regarding personnel matters. No decisions were made.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

LEGISLATIVE ACTION

Consider for Adoption: Resolution No. 10-12, re: Authorizing Streetscape work inside the City right-of-ways at 4th Street and Depot Street

Resolution No. 10-12 was presented authorizing Streetscape work inside City right-of-ways at 4th Street and at Depot Street as required by the Redevelopment Assistance Capital Project.

Manager Greene explained the two projects for 4th Street and Depot Street utilized CDBG funds. In order to use the funds as a match for the Parking Garage the Resolution had to be approved by Council.

Motion Passed

Dennis Nero made a motion to adopt Resolution No. 10-12, seconded by Steven Skok, and all were in favor.

Request for free parking and to close Depot Street, re: Chamber of Commerce

Mayor Geyer stated a request was received from the Chamber of Commerce to allow free parking for the following dates and times:

November 19th, 2010 (Light-Up Night) from 5:00 p.m. until 9:00 p.m.

November 25th, 2010 until December 24th, 2010

Also a request to close Depot Street from 7:00 p.m. until 9:30 p.m. on November 19th, 2010 for hayrides that will be given during Light-Up Night.

Bob Roberts had a concern regarding the length of time requested for free parking.

Motion

Dennis Nero made a motion to approve the above listed requests, seconded by Richard Gabler, Jr.

Discussion

Sally Wilson, Executive Director of the Chamber of Commerce, approached Council. Bob Roberts asked what will happen if Depot Street was not completed in time and Sally Wilson responded that the City Manager

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believed it would be open, but they would consider other options, if necessary.

Daniel Hepner asked how much the free parking benefited the downtown merchants. He stated there were previous complaints of the merchants and their employees taking up all the parking spaces. Sally Wilson directed the question to Warren Stewart, a downtown merchant, who responded some of the merchants utilize the free parking for themselves, but the merchants try to police that problem. He also stated he believed the free parking did benefit the downtown businesses.

Motion Passed

All were in favor to approve the Chamber's request, except Bob Roberts, who opposed.

Councilman Roberts stated he opposed based on the length of time only.

Letter of Support, re: Downtown
Restaurant Project

Manager Greene explained Matt Quesenberry Elk County Planning Director indicated that a developer was interested in bringing a restaurant to the downtown area. There was three million dollars available of recovery bonds that originally were planned for the Downtown Hotel Project and they have now notified the County the project is 100% funded. The recovery bond money is now available and the restaurant developer is requesting the opportunity to utilize the funding for their restaurant project. Council previously sent a letter of support to the Elk County Commissioners of the Downtown Hotel Project. A letter of support will also need to be sent to the Elk County Commissioners for the Restaurant Project.

Mayor Geyer questioned what kind of restaurant was being considered and Manager Greene responded a full family restaurant which would serve breakfast, lunch and dinner.

Motion Passed

Bob Roberts made a motion to send the letter of support, seconded by Daniel Hepner, and all were in favor.

TOPICS FOR DISCUSSION

Councilman Dornisch, re: Marcellus
Shale

Councilman Dornisch read the following statement:

"They say that if something sounds too good to be true it almost always is. I want to take just four or five minutes tonight to make a proposal which I wish all my fellow members of Council would give serious thought over the next two weeks so that we may discuss it at length at our next meeting.

For the last couple of weeks area people have been subjected to what seems to me a serious bombardment of overkill on the part of the Marcellus Shale promoters. Almost daily statements from representatives of all levels of government, the big North Central Gas Expo, a five or six page spread special in the area newspapers. Clearly there appears to be a big push backed by huge amounts of money to cause the public to view the latest bonanza with benign eyes.

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We all know that since the panic over energy production a decade or so ago, the energy producers and exploration companies have been pretty much given carte blanche. There has been a minimum of regulation, minimal fines, understaffed inspection agencies and reports that are almost all political or fiscal and rarely scientific or environmental.

Well, Marcellus Shale drilling with all its fracturing and other potential liabilities is here, and a big part of our future, and I am neither a promoter nor distracter, neither a propagandist for the industry, nor an apologist for the opposition, but clearly all is not beer and skittles.

Following the last meeting I received many calls and questions concerning the advisability of okaying CG's application of property usage for drilling in the Kaulmont park area and the bordering industrial and residential areas.

The hoops had all been jumped through and in as much as the City has not considered any restrictive measures, there was little Council could do, at that moment, except follow the approval of the Zoning and Planning Boards.

It seems to me that now is the time to become involved in this. I've no intention here tonight of going into noise pollution, infrastructure damage, air quality conditions, scenic and aesthetic consideration, but we cannot ignore the potential for toxic presence which the industry itself readily admits too, nor the threat to St. Marys most precious commodity, our water.

Although the devil will almost certainly be in the details, I think Council should posthaste seek to enact an ordinance which will keep in the future drilling permits being issued to any company to drill a well or establish a holding pond for fractured water within a half mile or further from any residential area, (which would need defining), playground, medical facility, cemetery, religious facility, or school.

Safety regulations are minimal in spite of continuous call for them. Inspectors in spite of being very undermanned still found 1,500 infractions last year at drilling sites and truckers and haulers amassed another 2,500 fines for overloads etc.

In April of this year West Virginia coalminers died in a mine disaster where the Massey company had ignored 485 safety violations. About the same time British Petroleum, Halliburton, and other companies caused the greatest manmade ecological disaster in the history of the planet.

We only have little old St. Marys to tend, but we, as elected keepers of the community, do believe we have a responsibility to look to it."

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CITIZEN COMMENTS ON NON-AGENDA TOPICS

Steve Michuck

Steve Michuck approached Council and asked what taxes Municipal Authorities pay or don't pay. Mayor Geyer responded Council would have to check with the Municipal Authority. Mr. Michuck requested to be placed on the next Council meeting agenda and Mayor Geyer responded the Solicitor would have to review the information first and then a decision would be made if it was necessary to be placed on the agenda.

Warren Stewart

Warren Stewart approached Council and clarified the procedure the downtown merchant's implement for free parking.

COUNCIL COMMENTS

Mayor Geyer encouraged everyone to get out and vote tomorrow. (Election Day)

ANNOUNCEMENTS

Mayor Geyer made the following announcement:

- The next Council meeting will be Monday, November 15, 2010 at 7:00 p.m. at City Hall.
- The following dates were selected for the City's 2011 Budget Hearings.
 - Wednesday, November 3, 2010
 - Thursday, November 4, 2010
 - Monday, November 8, 2010
 (All meetings will be held at 7:00 p.m. in the Council Room at City Hall.)

ACKNOWLEDGEMENT OF MERLE LECKER

Council expressed their condolences to the family of Merle Lecker. He was a former Borough Councilman for 20 years, served as President of Council, and other political positions, and was a remarkable man.

ADJOURNMENT

Daniel Hepner made a motion to adjourn the meeting.

Torrie Lewanduski

Recording Secretary

Mayor