

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

November 17, 2008

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, November 17, 2008 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 November 13, 2008, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Steven Skok, Richard Dornisch, Richard Gabler, Jr., and City Manager David Greene

Absent: Councilman Sean Gabler and City Solicitor Mark Jacob (both excused)

VISITORS

Visitors included: Joe Bologna, Francis Cheatle, Frank Straub, Tom Bauer, Mark Lenze, Daniel Hepner, Warren Stewart, Victor Straub, and Curt Brennen

APPROVAL OF MINUTES
November 3, 2008

Thomas Farley made a motion to approve the minutes of a worksession held on November 3, 2008, seconded by Richard Gabler, and all were in favor.

November 10, 2008

Dennis Nero made a motion to approve the minutes of a special meeting held on November 10, 2008, seconded by Steven Skok, and all were in favor.

REPORT ON EXECUTIVE
SESSION

Mayor Geyer stated an Executive Session was held prior to this meeting at 6:00 p.m. regarding personnel issues. No decisions were made.

CITIZEN COMMENTS ON
AGENDA TOPICS
Francis Cheatle

Francis Cheatle expressed his opinions regarding Taxation. He also felt the various Authorities should not get what they always ask for.

Victor Straub

Victor Straub, Chairman of the St. Marys Area Airport Authority, was present to ask Council to reconsider adding the \$3,000. back into the budget for the Airport.

Mayor Geyer questioned what would occur if the \$3,000. was not reinstated into the budget? Victor Straub explained their fiscal year is June 1st to May 30th and that the \$3,000., which was cut, was already included in their budget. He noted they requested \$35,000. this year same as in the past. Mr. Straub stated the money is needed to take care of what is in their budget.

Mayor Geyer also questioned if the loss of \$3,000. would affect the Industrial Park. The Manager responded the airport is a selling point for the

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Industrial Park. Major foreign companies and out of state companies like to fly into St. Marys. They do not want to fly into the DuBois Airport and have to rent a vehicle to come to St. Marys which uses up quality time. He stated there are 53 acres in the Industrial Park worth \$2,000,000.; half of which was a grant and the other half a loan. The agreement was we would pay back the loan when lots are sold. We are hoping once the Industrial Park starts to fill up, they will use the new restaurant and the airport. The Manager also stated, if the airport's budget is cut, it will impact the airport to perform the necessary maintenance at the facility.

Joe Bologna

Joe Bologna, Airport Manager, stated the airport cannot cut back. We have maintenance costs, such as; keeping the roads and the runway clear of ice and snow, cutting large areas of grass, painting hangars, etc.

Dennis Nero stated there is a perception that the airport is a flyer's club. How can we bring across to the citizens, the airport is not a flyer's club but that the City needs the airport? Joe Bologna stated they have been trying for years to establish the need for the airport. They opened up the airport for events, publish activity reports showing which companies are using the airport, and serve industry. Mr. Bologna also stated at one time they tried a commuter service but there was not enough business.

Thomas Farley suggested that the name of the airport be changed to "Elk County Community Airport" or "Elk County Municipal Airport". He felt they would receive more donations from other municipalities, if the name included "Elk County". He also stated that after 6 mos/1 year, if the Airport Authority finds out they can no longer maintain the airport, maybe the Airport Authority Board should request to be dissolved and turn the complete airport operations over to the City. Mr. Farley stated the budget is only preliminary and that a Public Hearing will be held before the budget is adopted.

It was suggested that maybe a meeting should be held between the County and all the municipalities to discuss the possibility of changing the name of the airport.

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MANAGER'S REPORT

Manager Greene presented the following report:

- October 22nd, attended the NCRPD Board of Directors meeting.
- On October 23rd, Todd Caltagarone, Carol Muhitch and I met with Jeff Davidek from CS McKee to discuss the City's pension plans.
- Chief of Police and I attended the Grand Opening of the New Old Charm Bed and Breakfast on October 23rd.
- Attended the OEDP meeting October 29th at the Royal Inn regarding oil and gas exploration taking place in the region.
- October 30th, met with Mark Bates to discuss the Depot St. Parking Garage.
- On November 3rd, our first negotiations meeting was held with the AFSCME union representatives.
- Attended the West Creek Rails-to-Trails meeting on November 12th.

Thomas Farley questioned the October 29th meeting regarding oil and gas exploration. He noted that a permit was applied for to use water from West Creek to drill gas wells.

Daniel Hepner, citizen, explained the process of drilling wells in the Marcellus Shale.

APPROVAL OF EXPENDITURES

Dennis Nero made a motion to approve the Expenditures Report for the period October 12, 2008 thru November 8, 2008, seconded by Richard Dornisch, and all were in favor.

TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of October 31, 2008. The General Fund has collected 90.92% of its budgeted revenue and spent 79.94% of the budgeted amount. Last year at this time, revenue collected was at 91% and expenditures were at 82.4% of the budget. In 2006, budgeted revenues collected was 89% and expenses were at 70.9% of the budget. Benchmark figures would be at 83%. Market value on the pension funds continue to drop.

LEGISLATIVE ACTION
Consider for Publication
Ordinance No. 245 re:
Levy & Assessment of
2009 Taxes

Ordinance No. 245 was presented providing for the Levy and Assessment of taxes for the City for the fiscal year 2009.

Thomas Farley made a motion to publish Ordinance No. 245, seconded by Richard Gabler, and all were in favor.

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Resolution No. 08-22
re: Preliminary Budget

Resolution No. 08-22 was presented adopting the preliminary budget for 2009 for the various funds for the City. The preliminary budget will be placed on display for ten days at City Hall and the library.

1st Motion

Mayor Geyer made a motion to publish Resolution No. 08-22. The motion was seconded by Steven Skok.

Thomas Farley suggested that some modifications to the budget allotments be made. He stated we decided at a previous meeting to reduce seven different funds. He suggested that we give the Airport Authority the \$3,000. that was taken from them, readjust the Shade Tree Commission from \$2,500. to \$1,500., EDC's additional \$2,000. down to \$1,000., and the RDA from \$5,000. to \$4,000.

Amended Motion
Passed

After a lengthy discussion, Mayor Geyer amended her motion to change the following allotments: the Airport Authority increased \$3,000., RDA \$3,500., Shade Tree an additional \$1,000. and EDC an additional \$2,000. The amended motion was seconded by Steven Skok and all were in favor.

Wage & Benefit Schedule
for 2009

A Wage and Benefit Schedule establishing certain wage rates, salaries, and benefits for City offices and positions of employment for the year 2009 was presented.

Thomas Farley made a motion to approve the Wage and Benefit Schedule for 2009 for publication, seconded by Dennis Nero, and all were in favor.

Ground Lease Agreement
Between City & ATA

The Ground Lease Agreement between the City and ATA will be moved from "Legislative Action" to "Topics of Discussion" on the agenda.

Subdivision Applications
Lenze Land Developers,
Cross Road

A Subdivision Application for Lenze Land Developers was resubmitted for approval. This subdivision was originally approved on December 2, 2002 but was not recorded within 90 days. This application proposes to divide a 21.2 acre parcel into six lots ranging from 1.889 acres to 4.4058 acres for distribution to heirs. The lots were originally approved with non-building waivers except for Lot #2 which was perk tested. The applicant wishes to re-use the non-building waivers. The residual parcel is 2.98 acres and contains a dwelling with an existing septic system and public water.

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The Planning Commission had one minor comment on deed description #3, page 2 in the last paragraph, the right-of-way is described as "fifth" when it should be "fifty". The applicant will submit a revised page.

1st Motion

Richard Gabler made a motion to approve the re-submittal of the Subdivision Application with the revisions. The motion was seconded by Mayor Geyer.

Thomas Farley stated there are three deeds descriptions that he does not agree with and needs corrected as follows:

- The deed description for Lot #3-1 under No. 1, stated the "northwest" corner of Lot #4. This should be the "northeast" corner of Lot #4.
- On the combined Lots #4 & 5, Page 1 last paragraph line eight where it stated most northerly "northwest" corner of Lot #7. This should be the most northerly "northeast" corner of Lot #7. Also on page 3 under Commencing "northwest" should be changed to "northeast"
- The map is incorrect for Lot #2-1. The map shows N 87°09'08" "east". It should be "west".

Amended Motion
Passed

Richard Gabler amended his motion to approve contingent upon the corrections. The amended motion was seconded by Mayor Geyer and all were in favor.

NOVA Development Corp.,
Marienstadt Court

A Subdivision Application was submitted from NOVA Development Corp. This is a minor subdivision requesting to divide a 9,614 sq. ft. lot from a 50,452 sq. ft. (1.16 acre) parcel for the purpose of a rear lot addition to a parcel on Villa Road. The residual parcel is 40,838 sq. ft. and remains a viable building lot. All parcels have access to public water and sewage.

The Planning Commission had a minor comment on combination description, page 4, the bearing has extra numbers and letters after it, and the distance should be "44.74" not "74.44". The applicant will submit a revised page.

Steven Skok made a motion to approve the minor subdivision of the NOVA Development Corporation, seconded by Richard Dornisch, and all were in favor.

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TOPIC FOR DISCUSSION
Ground Lease Agreement
Between the City and
ATA

Manager Greene presented a Ground Lease Agreement between the City and the Area Transportation Authority of North Central Pennsylvania. ATA proposes to construct and operate the intermodal transportation facility on Depot Street, formerly occupied by Industrial Steel & Pipe Supply Co. The Manager noted there are some minor changes to the agreement which he wants included before the agreement is approved by Council, such as; insurance, taxes, the areas that ATA will be leasing or renting, the term of the agreement, addition of a reverter clause, and the loss of 21 parking stalls plus five to seven stalls for their employees.

Thomas Farley questioned if the ATA utilities will be maintained by them? Manager responded yes.

CITIZEN COMMENTS ON
NON AGENDA TOPICS

Curt Brennen

Curt Brennen stated he would like to know all the debts the City is liable for including all short and long term loans. He also would like to know the debts of the Parking, Airport, Golf, Sewer, and all the Authorities and the total liability the City has at the present. He requested information on the cost of the Industrial Steel project up-to-date, right-of-way dispute at their new location, and the Floyd Howell burnt out building.

The Manager explained some of the City's liabilities. He stated no City funds will be used for the Industrial Steel Project. All funds are from grants. Regarding the Howell Building, we have \$27,500. in our escrow account from their insurance Company. The Manager also stated the City has no right-of-way dispute at the new site. All the City owns is the new road.

COUNCIL COMMENTS

Thomas Farley stated there were some tense moments during the budget meetings last week but that everything was worked out.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- Next Council meeting will be held on December 1, 2008 at 7:00 p.m.
- City's 2009 Budget will be on display at the Library and City Hall.

ADJOURNMENT

Tom Farley made a motion to adjourn the meeting.

Shirley Dicklas
 Recording Secretary

Sally Geyer
 Mayor