

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

November 19, 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, November 19, 2007 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 15, 2007, posted at City Hall, and published in the Daily Press.
- ROLL CALL** Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Mark Kopp, Steven Skok, Richard Dornisch, Sean Gabler, and City Manager David Greene
- VISITORS** Visitors included: John and Phyllis Grotzinger, Tom Wagner, Rick Gabler, Jr., Dan Hepner, Richard Sadley, Warren Stewart, and George McManigle
- REPORT ON EXECUTIVE SESSION** Mayor Geyer stated an Executive Session was held prior to this meeting to discuss personnel matters. No decisions were made.
- APPROVAL OF MINUTES**
November 5, 2007 Richard Dornisch made a motion to approve the minutes of November 5, 2007, seconded by Dennis Nero, and all were in favor, except Mark Kopp who abstained.
- CITIZEN COMMENTS ON AGENDA TOPICS**
Attorney Thomas Wagner Attorney Thomas Wagner was present to speak on behalf of John and Phyllis Grotzinger regarding the City taking over Crestview Road. He noted Mr. Grotzinger did the additional items Council requested and that Grotzingers did convey one of their lots. Mr. Wagner stated the Grotzingers are present tonight to answer any questions Council may have.
- MANAGER'S REPORT** Manager Greene presented the following report:
- On October 19th, attended the new logo unveiling at the Morgan AM&T plant on Hall Ave.
 - The Parking Authority and I toured the Wolfel building on Erie Avenue on October 22nd.
 - Attended a meeting at the CEC building on October 30th to discuss plans regarding ATA's future.
 - November 7th, met with Bob Yoder at the new Industrial Steel location and then toured the new Marienstadt Senior Housing building with members of the Senior Center.
 - On November 8th, Steve Skok, Sally Wilson, and I attended a turnpike meeting in DuBois to discuss plans to toll Interstate 80.
 - November 9th, met with Bill Kulbacki and Ron Scheck from Guardian Services to discuss plans for the City to take over building inspections after the first of the year.

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APPROVAL OF EXPENDITURES

Sean Gabler made a motion to approve the Expenditures Report for the period October 13 to November 9, 2007. The motion was seconded by Steven Skok.

Mayor Geyer inquired about the purchase of a typewriter on Page 7 for the Police Department in the amount of \$141.47.

Motion Passed

All were in favor to approve the Expenditures Report.

TREASURER'S REPORT

Mayor Geyer presented the Treasurer's Report as of October 31, 2007. The General Fund has collected 91% of its budgeted revenue and spent 82.4% of the budgeted amount. Last year, at this time, revenue collected was at 89% and expenditures were at 70.9% of the budget. In 2005, budgeted revenue collected was 82% and expenditures were at 74% of the budget. Benchmark figures would be at 83%. Market value on the Pension Funds continue to climb.

LEGISLATIVE ACTION
Consider for Publication
 Ordinance No. 237 re:
 Levy & Assessment of
 2008 Taxes

Ordinance No. 237 was presented providing for the Levy and Assessment of Taxes for the City for the Fiscal Year 2008. Manager Greene noted the tax millage did not increase and will remain the same as last year.

Mark Kopp made a motion to publish Ordinance No. 237, seconded by Thomas Farley, and all were in favor.

Resolution No. 07-23
 re: 2008 Preliminary
 Budget

Resolution No. 07-23 was presented adopting the 2008 Preliminary Budget for the various funds for the City for the Fiscal Year 2008.

Richard Dornisch made a motion to publish Resolution No. 07-23, seconded by Thomas Farley, and all were in favor.

The Preliminary Budget will be on display for ten days at City Hall and at the St. Marys Public Library.

Appointment to the
Shade Tree Commission

David Greene read a letter from the Shade Tree Commission recommending the appointment of Kathleen Herzing to fill the unexpired term of Irene Taylor, who resigned as a member of the Shade Tree Commission on September 1, 2007.

Kathleen Herzing
 appointed

Sean Gabler made a motion to appoint Kathleen Herzing as a member of the Shade Tree Commission, seconded by Dennis Nero, and all were in favor.

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**Letter from Crystal
Fire Department re:
Hydrants**

Manager Greene read a letter from the Crystal Fire Department requesting the installation of hydrants at the following locations.

- Mulligan Road near the parking lot for the Bavarian Hill Golf Course Club House
- Intersection of S. St. Marys Road and Haller Road on the side next to McDonalds
- Random Road near S. St. Marys Road serviced by the 8" main on S. St. Marys Road

Dennis Nero made a motion to approve the three hydrants requested by the Fire Department, seconded by Mark Kopp, and all were in favor.

**Subdivision Application
William & Mary Straub,
intersection of S.
Michael and Averyville
Roads**

A Subdivision Application was presented for William and Mary Straub. This subdivision proposes to divide 2 lots from a 4.293 acre parcel. Lot 1 is .526 acres and will be a lot addition to an existing lot owned by James & Lori Robinson of S. Michael Road. Lot 2 is 2.241 acres and will be a rear lot addition to an existing lot owned by Paul J. Schneider of Averyville Road. The residual lot will consist of 1.526 acres and contains an existing single family dwelling. No new building lots will be created as a result of this subdivision.

Thomas Farley made a motion to approve the Subdivision Application for William and Mary Straub, The motion was seconded by Dennis Nero.

Thomas Farley stated on the suggested deed description for Lot 2, fourth paragraph, "said point being the northeast corner of Paul J. Schneider" should read the "southeast corner".

Motion Passed

All were in favor to approve the Subdivision Application with the wording change.

**Sewage Facilities
Planning Module
John F. Gabler,
Kay Fork Road**

A Sewage Facilities Planning Module was presented for John F. Gabler. This application proposes an on-lot sewage disposal system for a new single family dwelling. Due to scheduling conflicts, the subdivision application has not been submitted yet, but will be submitted next month. The percolation test indicated an at-grade absorption area with ultraviolet disinfection, and a peat filter would be permissible.

Steven Skok made a motion to approve the Sewage Facilities Planning Module for John F. Gabler. The motion was seconded by Richard Dornisch.

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Motion opposed

After a discussion regarding the placement of the water well, price of filter system, time frame, all members of Council opposed the motion. The Planning Module will be returned for more information.

TOPICS FOR DISCUSSION
T.V. Franchise Agreement
Proposal

Dennis Nero stated all Council received so far was one lawyer's proposal regarding the T.V. Franchise Agreement. Dennis Nero made a motion to table the T.V. Franchise Agreement proposal until more information is received. The motion was seconded by Richard Dornisch, and all were in favor.

Crestview Road

Dennis Nero asked how many more lots are still for sale. Mr. Grotzinger responded 10 lots, one more on top and nine lots below.

Michael Mullaney, Public Works Director, made the following comments regarding Crestview Road:

- Core samples appear adequate for base and wearing course.
- The roadway is adequate, it is a little steep in some areas but acceptable.
- The roadway is very low volume. The guide rail is too close to the edge of the pavement, but the terrain does not permit the guide rail being set further from the roadway. The terrain should have been modified when the road was constructed to accommodate this.

Mr. Mullaney stated it is the opinion of City staff that the roadway meets minimum standards for acceptance.

Thomas Farley questioned Mr. Grotzinger if he had a tentative date when the lot he just sold will be built upon. Mr. Grotzinger responded he does not know.

Dennis Nero noted that one of the biggest problems Council had with taking over Crestview Road was that it appeared the road was going to be just a driveway.

Both Phyllis and John Grotzinger explained that Crestview Road is the main road leading to other roads in the development.

Sean Gabler made a motion to prepare an ordinance to proceed with the taking over of Crestview Road, seconded by Mark Kopp, and all were in favor.

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Sewer Rates

Thomas Farley stated, due to his surgery, he did not have an opportunity during the budget meetings to discuss the proposal that was provided to Council by Public Works Director Michael Mullaney to increase the base rate of the sewage system by \$2.00 per month effective in 2008. The increase would be used to generate revenue to address the I&I problems coming into the system. If Council agrees to the \$2.00 increase, this would generate approximately an additional \$111,000. per year for repairs to the sanitary sewer lines.

Mr. Farley proceeded to read a portion of the memo received from the Public Works Director. A recent inspection from DEP at the Wastewater Treatment Plant noted severe deficiencies in our attempt to reduce inflow and infiltration from our collection system. It was determined that the City of Saint Marys has not made any significant reduction of I&I coming into the plant. The amount of stormwater entering the plant still exceeds the 50% level.

The memo also referred to the City's Chapter 94 Report which identifies 31 sanitary sewer lines or sections that need immediate attention. Mr. Farley noted the Chapter 94 Report does not state an action plan to correct the deficiencies.

Mr. Farley stated the memo also noted, the City of Saint Marys has recently completed a WWTP expansion at a cost of \$12 million dollars. By the time the bond issue is finalized, the total project cost will be \$20 million. There is the possibility the City could be mandated by DEP to undertake another plant expansion project if controls are not instituted to reduce I&I.

Dennis Nero noted the Municipal Authority has \$1.6 million dollars and he sees no reason why they can not contribute at least \$500,000. to help address the I&I issues.

Motion Passed to
Increase Base Sewage
Rate

After further comments from Council, Dennis Nero made a motion to have the City staff draw-up an ordinance for the \$2.00 increase and also if possible \$500,000. from the Municipal Authority to address the I&I problems. The motion was seconded by Thomas Farley, and all were in favor.

**Non-Union Employees
Policy re: Evaluations**

Thomas Farley expressed his concerns regarding the pay raises for the non-union employees. He felt Council should only be doing a performance

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evaluation on the City Manager. The City Manager, in turn, should be doing performance evaluations of all department heads. The department heads then do evaluations on all employees within their department. He felt it is not fair that this board of seven determines the rate of increase for every non-union employee in the City, since we do not have any idea what 90% do.

Mr. Farley felt the City Manager should prepare a form and that evaluations of all City employees be done by September of each year.

Dennis Nero agreed with Mr. Farley but felt that Council should not be involved in setting the salary for each employee. He felt this is the Manager's job. The Manager then presents his recommendations to Council for their approval or disapproval.

After a discussion, Thomas Farley made a motion that the City Manager come-up with some kind of a policy regarding pay increases for all non-union employees and have it done by the 30th of March. The motion was seconded by Richard Dornisch and all were in favor.

CITIZEN COMMENTS ON NON-AGENDA TOPICS

Rick Gabler, Jr.

Rick Gabler, Jr., inquired about this year's leaf collection program. He was informed leaf collection will continue as long as possible.

George McManigle

George McManigle from Fallbrook, CA, was present to observe how Council meetings are held in St. Marys.

COUNCIL COMMENTS

Dennis Nero noted that he still has not seen any action on the two properties he mentioned before and that he will start furnishing pictures.

ANNOUNCEMENT

Mayor Geyer made the following announcement:
- Next Council meeting will be held on December 3, 2007 at 7:00 p.m. in the Council Room

ADJOURNMENT

Thomas Farley made a motion to adjourn the meeting.

Shirley Dicklas
Recording Secretary

Mayor