

November 6, 2006

**CALL TO ORDER**

A Council worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, November 6, 2006 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 November 2, 2006, posted at City Hall, and published in the Daily Press.

**ROLL CALL**

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

**VISITORS**

Visitors included: Jesse Szymanski, Warren Stewart, Katie Weidenboerner, Rick Gabler, Jr., Marisa Gabor, and Richard Sadley

**APPROVAL OF MINUTES  
October 23, 2006**

Steven Skok made a motion to approve the minutes of October 23, 2006, seconded by Richard Dornisch, and all were in favor, except Dennis Nero and Mark Kopp both abstaining.

**CITIZEN COMMENTS  
ON AGENDA TOPICS**

There were no citizen comments on agenda topics.

**LEGISLATION ACTION  
Consider for Publication:  
Ordinance No. 223 re:  
vacating a portion  
of Jones Street**

Ordinance No. 223 was presented vacating a portion of Jones Street. The City originally established a public street known as Jones Street leading in an easterly direction from Lincoln Avenue which was never formerly opened. The City hereby vacates as a public street all that portion of Jones Street, 50 feet in width with 25 feet thereof on each side of the center line. The property will be sold to C/G Electodes, who will use the property to better serve ingress and egress of company traffic around the gatehouse area.

Dennis Nero made a motion to publish Ordinance No. 223, seconded by Thomas Farley, and all were in favor.

**Ordinance No. 224  
re: Amending the  
Administrative  
Code, Sections  
196 and 197**

Ordinance No. 224 was presented amending Sections 196 and 197 of the Administrative Code. The City desires to amend these sections to more clearly set forth the duties of the Sewage Treatment Plant and the Street Department.

Sean Gabler made a motion to publish Ordinance No. 224 and seconded by Thomas Farley.

Thomas Farley noted that he was reading the Administrative Code and realized that some of the duties under the Street Department should be listed under the Sewage Treatment Plant. Mr. Farley stated he requested that the Public Works Director review these two sections of the Administrative Code.

## CITY OF SAINT MARYS COUNCIL WORKSESSION

November 6, 2006

All were in favor of the motion to publish Ordinance No. 224.

Ordinance No. 225  
re: Prohibiting the  
Possession and use of  
Tobacco Products  
by Minors

Ordinance No. 225 was presented prohibiting the possession and use of tobacco products by minors which states it shall be unlawful for any minor under the age of 18 years to have possession and the use of tobacco products, in any form, within the City, on any City owned property, and on any public street, highway, traffic-way, alley or sidewalk.

Mark Kopp made a motion to publish Ordinance No. 225 and seconded by Sean Gabler.

Dennis Nero questioned how is the City going to enforce this ordinance? The Manager replied that it would be the responsibility of the Police Department to enforce.

After a discussion, Mark Kopp and Sean Gabler voted in the affirmative and Thomas Farley, Dennis Nero, Richard Dornisch, Steven Skok and Mayor Geyer voted in the negative. The ordinance will not be published by majority vote.

Non-Use Aquifer  
Ordinance

A Non-Use Aquifer Ordinance was presented prohibiting, regulating, and restricting the use of groundwater within specific geographical areas of the City.

Mayor Sally Geyer made a motion to publish the Non-Use Aquifer Ordinance and seconded by Dennis Nero.

Marisa Gabor,  
Burkett  
Environmental  
Services

Marisa Gabor, of Burkett Environmental Services, was present to answer any questions or concerns that Council may have regarding the Non-Use Aquifer Ordinance. She stated Burkett did the research for Emsource and the Stackpole Corporation.

Dennis Nero questioned who was going to pay the costs of connecting a resident to the City Water and cap-off their well? He felt no resident should have to pay as they did not create the problem.

Thomas Farley responded that he received information from DEP which stated the remediator was to bear all the financial responsibility.

In a letter received today, Emsource noted they would be willing to "cost share" the connection fee should a property owner require assistance. Dennis Nero requested that the Manager ask for specifics concerning "cost sharing".

CITY OF SAINT MARYS COUNCIL WORKSESSION

November 6, 2006

Thomas Farley noted that in the new revised ordinance, which they just received tonight, there are several language changes from the ordinance previously received.

After Council voiced their concerns, they would like answers to the following: the total number of dwellings in the plume area; how long it would take to do a current door-to-door survey; and they would like a copy of the survey sent to the residents.

Opposed to motion

All members of Council opposed the motion to have the Non-Use Aquifer Ordinance published.

**Knights of Columbus**  
re: Christmas  
Nativity Scene

The City received a request from the Knights of Columbus to erect the Christmas Nativity Scene on the Diamond in conjunction with the erection of the tree by the Chamber of Commerce. The Nativity Scene will be removed on January 6, 2007.

Dennis Nero made a motion to approve the request of the Knights of Columbus to erect the Christmas Nativity Scene, seconded by Sean Gabler, and all were in favor.

**TOPICS FOR DISCUSSION**

Thomas Farley stated he was contacted by a concerned citizen regarding the parking situation along Washington Street by the Presbyterian Cemetery.

A memo was resubmitted to Council from the Public Works Director, which states the area is hazardous. The parking problem becomes more severe during the winter months with the build-up of snow and ice. PennDOT plows cannot remove the build-up because of the parked vehicles.

In 1996, a Traffic and Engineering Study indicated that no parking should be permitted in this area on Washington Street from Rightmeyer Street along the entire length of the Presbyterian Cemetery.

Thomas Farley questioned who would be responsible if there was an accident and felt that it is a safety issue especially in the winter time.

Richard Dornisch felt there has been no major problems in this area in the past 10 years since the survey was performed and noted that he is opposed to removing the parking along this area unless another area can be provided to the residents for parking.

CITY OF SAINT MARYS COUNCIL WORKSESSION

121

November 6, 2006

Thomas Farley requested that the Manager have the Public Works Director or someone look into the availability of parking for those residents other than on the street. Is there parking available behind these properties or not? The Manager will also gather information as to who is parking in this area and where do they live.

After more information is acquired, the parking problem will be addressed at a future meeting.

Council's January 2007 meeting rescheduled

It was noted that the Council's meeting in January would fall on January 1st. Council decided to reschedule January's meeting to Tuesday, January 2, 2007 at 7:00 p.m.

Trick or Treat

Dennis Nero requested that Trick or Treat be placed on tonight's agenda for discussion. He asked if Council would like to make Trick or Treat on the last Saturday in October?

After a discussion, it was decided that Trick or Treat would be discussed in January allowing enough time to notify the public.

**COUNCIL COMMENTS**

Dennis Nero felt that the City should contact the Elk County Commissioners notifying them that they have 30 days to place property on the tax rolls after a resident/industry receives their Occupancy Permit from the City.

Dennis Nero also expressed his displeasure with the KOZ/KOEZ properties. There are some that are doing nothing with their property and should be placed back on the tax rolls. He requested that the Manager write to the Commissioners.

Public Hearing Vacating Jones St. to be held

Mayor Geyer noted there will be a Public Hearing on vacating a portion of Jones Street on Monday, November 20, 2006 at 7:00 p.m.

**ANNOUNCEMENT**

Mayor Geyer made the following announcement:  
- Next regular monthly Council meeting will be held on Monday, November 20 2006 at 7:00 p.m.

**ADJOURNMENT**

Thomas Farley made a motion to adjourn the meeting.

*Shirley Dicklas*  
Recording Secretary

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Mayor