

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

OCTOBER 17, 2011

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, October 17, 2011 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 13, posted at City Hall, and published in the Daily Press.

ROLL CALL

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

VISITORS

Visitors included: Warren Stewart, Tina Gradizzi, John Copelli, JoAnn Schneider, Maidene Smisko, Ned Jacob, Phoebe Bonomo, Jeff Buchheit, Donna Schatz, Paula Lechner, Jeff Lechner, Daniel Lechner, Jessica Smith, and Darlene Lynch. Tony Damore, Jackie Severance and Jean Wise did not sign in.

**SPECIAL PRESENTATION:
Retiring Sergeant Phil Hoh**

Mayor Geyer announced there was a Special Presentation for Sergeant Phil Hoh of the St. Marys Police Department for his years of service.

Chief Todd Caltagarone presented Sergeant Hoh with a plaque in recognition of his 27 years of service with the St. Marys Police Department. He also received a certificate from the State Fraternal Order of Police, Citation from State Senator Scarnati's office and a retirement badge.

Sergeant Hoh thanked everyone especially his family for their sacrifices and encouraged Council to continue to support the St. Marys Police Department.

**APPROVAL OF MINUTES
October 3, 2011**

Daniel Hepner made a motion to approve the minutes of October 3, 2011, seconded by Steven Skok, and all were in favor, except Dennis Nero and Richard Dornisch, who abstained.

**REPORT ON EXECUTIVE
SESSIONS**

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

**CITIZEN COMMENTS ON
AGENDA TOPICS**

Maidene Smisko requested to be called on during the Parking Fine Increase portion of the agenda.

Jeff Buchheit was concerned with the parking lots being closed from 2:00 a.m. until 6:00 a.m. because it did not allow his tenants to have a convenient overnight place to park since they have a baby. He stated Council can declare an emergency to clear the City streets for snow removal.

Jeff Lechner Manager of the St. Marys Moose Club stated the club uses the Municipal Parking lot after 2:00 a.m. because the club is open until 3:00 a.m. He stated the club members would leave early and it would affect the club's business. He was also concerned with the young female bartenders that would have to walk the distance to the Parking Garage.

Council discussed Mr. Lechner's concerns and wished the concerns would have been presented during the

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review period of the Ordinance.

Mayor Geyer commented it was fine that the concerns were only being presented after the adoption of the Ordinance.

Tony Damore, tenant who lives above Smith's Sport Store, commented he disagreed with the no parking from 2:00 a.m. until 6:00 a.m. because he and his wife had a baby and would have to make numerous trips to the Parking Garage.

Jeff Buchheit again approached and stated he was a former member of the Parking Authority and did attend meetings to try to create compromises for the parking problem.

Jackie Severance, downtown resident, expressed her concerns with the limited overnight parking, especially for handicapped residents.

Dan "Mac" Lechner questioned if Ordinances were to be for the good of the community? He disagreed with the closing of all the parking lots from 2:00 a.m. to 6:00 a.m.

Donna Schatz questioned if there was any way to add more handicapped parking spaces in the "Moose" Municipal Parking Lot. She cannot walk from the lower portion of that lot and will go back home if no parking is available in the upper portion of the lot.

Darlene Lynch, owner of the Apollo Theater, commented there was not appropriate signage for the no parking designation from 2:00 a.m. until 6:00 a.m. She suggested alternative options other than no parking since the theater will show 12:00 a.m. and 3:00 a.m. movies and because it would have a negative effect on her business.

Jessica Smith, bartender at the St. Marys Moose, stated her concerns with walking the distance to the Parking Garage at 3:00 a.m.

MANAGER'S REPORT

September 19- Attended a luncheon meeting with PA Department of Community and Economic Development Secretary C. Alan Walker held at the Lakeview Lodge in Dubois. The luncheon was sponsored by the area Chamber of Commerce.

September 20- Matt Pfeufer and I met with representatives from Lee-Simpson and Associates to discuss various land development issues.

September 27- Tim Brennan and I met with PennDOT representatives to discuss the South St. Marys Street reconstruction project.

October 5- Attended a luncheon meeting with PA Department of Transportation Secretary Barry Schoch held at the Lakeview Lodge in Dubois. The luncheon was sponsored by the area Chamber of Commerce.

October 6- Attended a Parking Garage construction

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meeting on Depot Street. We have been working on punch list items with the various contractors.

October 12- Attended the bid opening for the demolition of the former Floyd Howell building on North St. Marys Street.

Used Street Department Equipment

Manager Greene requested Council to approve a list of used street department equipment to be placed out for bid.

Motion Passed

Dennis Nero made a motion to authorize the Manager to publish the items for sale, seconded by Richard Gabler, Jr., and all were in favor

APPROVAL OF EXPENDITURES

Daniel Hepner made a motion to approve the Expenditures from September 14, 2011 to October 15, 2011, seconded by Richard Dornisch.

Mayor Geyer questioned if a line item for Schatz Tree Service was for the damaged tree at Luhr park and Manager Greene responded yes.

Richard Dornsich questioned the analytical services and Manager Greene responded they were for the Wastewater Treatment Plant and were required by D.E.P.

Motion Passed

All were in favor to approve the Expenditures.

TREASURER'S REPORT

Mayor Geyer presented the following Treasurer's Report as of September 30, 2011:

Revenues collected for the General Fund were at 84.87 percent of budget, up from last year of 80 percent and in 2009 Revenues collected were at 75 percent. General Fund Expenditures were at 71.3 percent of budget and for last year was at 68 percent and for 2009 was at 61 percent. Real Estate tax revenue was at 95.98 percent of budget and last year at this time it was at 94.5 percent. Pension Plans market values had increased in value since last year at this time.

LEGISLATIVE ACTION**Consider for publication:**

Ordinance No. 270, re: Amending the Police Pension Plan to comply with the Internal Revenue Service

Ordinance No. 270 was presented amending the Police Pension Plan with the intention the Plan be a qualified Plan under Internal Revenue Code Section 401(a) as applied to governmental plans as defined in Internal Revenue Code Section 414(d) and the Plan is required to comply with the applicable terms of the Pension Protection Act of 2006 (PPA) and the Heroes Earnings Assistance Relief Tax (HEART) Act.

Motion Passed

Richard Dornisch made a motion to publish Ordinance No. 270, seconded by Dennis Nero, and all were in favor.

Consider for adoption:

Resolution No. 11-22, re: Stackpole Hall Foundation for matching funds towards the "Elk Creek Park Project".
Program Grant Request

Resolution No. 11-22 was presented authorizing the filing of a grant application in the amount \$72,200 to the Stackpole Hall Foundation for matching grant funds to be used towards the "Elk Creek Park Project".

Tina Gradizzi, Community and Economic Development Coordinator, explained as part of the Impact St Marys Project, the City applied for funding for the

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development of Elk Creek Park through the PA Department of Conservation and Natural Resources (DCNR) through the Growing Greener II Program. The City was awarded \$72,200 for Phase I. The administration of the grant was handed over to Ms. Gradizzi by City Manager, Dave Greene. The DCNR grant is set to expire December 31, 2011 so a grant contract extension until December 31, 2013 was being requested. The grant extension cannot be approved until DCNR receives notification of commitment of the matching funds. A 50/50 match is required for this grant and budget funding is not available so Council's permission to proceed with applying for a grant for \$72,200 from the Stackpole-Hall Foundation was needed. The actual deadline to submit information to the Stackpole Hall Foundation was Friday Oct. 14th. Information was given to the Executive Director, Mr. Bill Conrad, for his review and to meet the deadline requirements. The request is being held for processing until the approval of Resolution No. 11-22.

Motion Passed

Daniel Hepner made a motion to approve Resolution No. 11-22, seconded by Steven Skok, and all were in favor.

Resolution No. 11-23, Stackpole Hall Foundation D.A.R.E Program Grant Request

Resolution 11-23 was presented authorizing the filing of a grant application on behalf of the St. Marys Police Department in the amount of \$8500 to the Stackpole Hall Foundation for grant funds to be used towards the continuation of their D.A.R.E. Program.

Tina Gradizzi, Community Economic and Development Coordinator, explained on behalf of the City of St Marys Police Department, she would like to proceed with the submission of a Grant Request to the Stackpole Hall Foundation for funding to continue the D.A.R.E. (Drug Abuse Resistance Education) Program. The amount being requested is \$7,250 and will be used to send three D.A.R.E. Officers to required training courses. As mentioned before, the deadline for grant requests to the Stackpole Hall Foundation was Friday Oct. 14th. The information was hand-delivered to the office for review and to meet the deadline requirements. The request is being held for processing until the approval of Resolution No. 11-23

Richard Dornisch questioned if the Stackpole Hall foundation was "on board" with this due to their funding limitations and Ms. Gradizzi responded she was not sure on the Elk Creek Park Grant but the D.A.R.E. Grant could be eligible under an education allotment.

Motion Passed

Steven Skok made a motion to approve Resolution No. 11-23, seconded by Bob Roberts, and all were in favor.

Subdivision Applications:

Minor subdivision for Jesse M. Meyer, Kaul Avenue

A minor subdivision application was presented for Jesse M. Meyer for property located on Kaul Avenue. The subdivision plan proposed to divide a 600 sq. ft. lot from an adjoining parcel for the purpose of a lot addition. The residual parcel contains a group home with public water and sewage. No new lots will be created as a result of this subdivision. The combined parcel is 4,300 sq. ft. with a duplex with public water and sewage. The subdivision complies with the zoning

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ordinance. The recordation plats are signed and notarized. The Planning Commission commented that the plat did not contain a PA One Call Stamp or Statement; however one was added to the recordation maps. The Commission had no other comments on the subdivision and recommended approval.

Motion Passed

Bob Roberts made a motion to approve the application for Jesse M. Meyer, Kaul Avenue, seconded by Daniel Hepner, and all were in favor.

Final Plan for Henry J. Eckert and Jamie Eckert, Blackberry Road

A final plan was presented for Henry J. Eckert and Jamie Eckert for property located on Blackberry Road. The subdivision plan proposes to divide a 1.004 acre lot from a 37.26 acre adjoining parcel for the purpose of a lot addition. No new lots will be created as a result of this subdivision. The combined parcel is 2.898 acres with a single family dwelling with public water and onlot sewage disposal. The Planning Commission commented that the plat did not contain a PA One Call Stamp or Statement; however one was added to the recordation maps. The Commission had no other comments on the subdivision and recommended approval.

Motion Passed

Richard Dornisch made a motion to approve the Final Plan for Henry J. Eckert and Jamie Eckert for property located on Blackberry Road, seconded by Richard Gabler, Jr., and all were in favor.

Minor Subdivision for Paul J. Valentine, Off Rosely Road

A minor subdivision was presented for Paul J. Valentine for property located off Rosely Road. The subdivision plan purposes to divide a 6.080 acre lot and a 6.075 acre lot from a 44 acre parcel for the purposes of two new building lots. The parcels are proposing an onlot water supply and onlot sewage disposal systems. They are accessed via a private right-of-way named Old Schoolhouse Road. The lots comply with the Zoning Ordinance and there is a Planning Module that also needs approved. The Planning Commission commented that the plat did not contain a label for the John and Mary Buerk property, the Planning Commission and City Council certificates need to be corrected to say City of St. Marys, and the deed description for Lot 3 has a typographical error. The revised maps have not been received yet, so the subdivision could be approved with the condition that those corrections are to be made to the plat.

Manager Greene stated Matthew Pfeufer, Zoning Officer informed him this morning the above listed corrections were made to the maps and approval could be made without a contingency.

Motion Passed

Richard Gabler made a motion to approve the minor subdivision for Paul J. Valentine, off Rosely Road, seconded by Dennis Nero, and all were in favor.

Award of Bid:
N. St. Marys Street Demolition Project

Tina Gradizzi, Community Economic and Development Coordinator, stated at the last Council Meeting on October 3, 2011 she asked Council to approve a Modification to the City's 2010 CDBG (Community Development Block Grant) funding. It was necessary to

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reserve enough demolition and clearance funding for the project. Council approved the Modification and a request was sent to DCED (Department of Community and Economic Development) for approval to allocate \$80,000 of the RDA slum/blight funding to the demolition project. A pre-bid meeting was held on Thursday Oct. 6th at 10:00 am at City Hall and was conducted by the City Engineer. After the meeting the City's Engineer took the contractors to visit the site. Bids were due Wednesday Oct. 12th. There were five contractors who picked up bid packets and only two bids were received.

Approval from DCED on our Modification request was received this morning so it was acceptable for Council to award the bid based on the Engineer's recommendation. She stated she had confirmed the contractor's registration with the Attorney General's office is up to date and that they are not on the contractor debarment list.

The following bids were received and opened on October 12, 2011 at a public meeting:

Earthmovers Unlimited, Inc. 23,419.00
Bucktail Excavators. Inc. 55,788.00

City Engineer, Tim Brennan, recommended the bid be awarded to the low bidder, Earthmovers Unlimited, Inc. in the amount of \$23,419.00.

Daniel Hepner questioned if there were funds still available from the fire loss escrow and Manager Greene responded yes.

Richard Dornisch questioned why all of a sudden this project needed to be completed and Manager Greene responded the City now owns the property and assumes any liability. Council discussed the possible problems and options available after the building was demolished.

Motion Passed

Richard Gabler, Jr. made a motion to accept the City Engineers recommendation to award the bid to Earthmovers Unlimited, seconded by Dennis Nero, and all were in favor.

Request for Free Parking, re: St. Marys Chamber of Commerce

A requested for free parking was received from the St. Marys Chamber of Commerce for the following:
Friday November 18th (Light-Up Night) from 5:00 until 9:00 p.m.

Thursday, November 24th at 9:00 a.m. until Saturday, December 24th.

Phoebe Bonomo from the Chamber explained the request was an annual event and hoped for Council's approval.

Motion

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

Discussion

Dennis Nero asked if there would be any notification sent to the downtown businesses so their employees do not abuse the free parking.

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Bob Roberts commented that is exactly what happened during the recent Fall festival. There was no parking for customers because the employees were parking in front of the businesses.

Ms. Bonomo responded she would personally mention it to the downtown businesses.

Motion Passed

All were in favor to approve the free parking request, except Bob Roberts, who opposed.

TOPICS FOR DISCUSSION

2012 Budget Workshop

Mayor Geyer stated the 2012 Budget would be presented to Council on October 31st.

Council agreed the budget workshop would be held at the next Council Worksession on November 7th, 2011. Further meetings would be scheduled, if needed.

Parking Fine Increase

Maidene Smisko approached and described her concerns with the increase in parking fines because her car will not fit in the parking garage. She also described her life as a senior citizen in St. Marys.

Jean Wise listed numerous events held at the Moose Club that would be affected by the increase in parking fines because there are only 2 hour meters in the nearest parking lot.

Councilman Dornisch commented that all legislators should do more than enact more laws and believed that any increase of taxes or fines should never be more than 100 percent. He also commented he didn't believe the revenue from parking meters paid for the enforcement of the meters.

JoAnn Schneider approached and stated her disagreement with the increase of the parking fines. She also stated her concerns with the limited parking for the Senior Center.

Mayor Geyer stated Councilmen Skok and Roberts prepared the changes with the knowledge they had at the time. She stated it was okay for residents to only come after the fact and present their concerns.

Councilmen Nero and Roberts both commented the previous Parking Committee had also involved the Chamber, local businesses and residents.

Maidene Smisko again approached describing other bridge players that utilize the downtown businesses.

Councilman Nero stated he did not have a problem with revisiting the no parking from 2:00 a.m. until 6:00 a.m. and the limitations of the 2 hour meters.

There was a lengthy discussion with numerous residents again approaching Council regarding timing of the issues being presented and possible options for the various issues presented at tonight's meeting.

Mayor Geyer questioned if Council would like to take another look at the parking issues.

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Motion Passed

Richard Gabler, Jr. made a motion to accept Mayor Geyer and Councilman Dornisch as the new Parking Committee members, seconded by Dennis Nero, and all were in favor.

**CITIZEN COMMENTS
ON NON-AGENDA TOPICS**

There were no comments on non-agenda topics.

COUNCIL COMMENTS

Mayor Geyer wished to publicly thank Sergeant Hoh for his years of service and hoped he enjoyed his new profession and the time now spent with his family.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

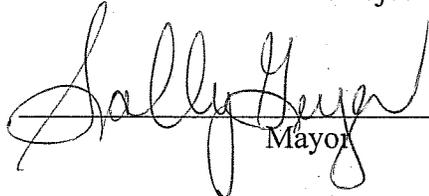
- The next Council meeting will be held Monday, November 7, 2011 at 7:00 p.m. at City Hall.
- Trick or Treat will be on Sunday, October 30th from 6 - 9 p.m. by porch light invitation only.

ADJOURNMENT

Dennis Nero made a motion to adjourn the meeting.



Recording Secretary



Mayor