

September 22, 2003

- CALL TO ORDER** The rescheduled regular monthly meeting of the St. Marys City Council was called to order by Mayor Meier on Monday, September 22, 2003 at 7:15 p.m. The meeting was held in the Council Room of City Hall, 808 South Michael Street. Notice of the meeting was sent to Council on September 18, 2003 and posted at City Hall. Notice of the meeting was also published in the Daily Press.
- ROLL CALL** Present: Mayor David Meier, Jerry Marshall, Robert Roberts, Thomas Farley, Gelindo Bonfardine, Maurice J. Azain, City Manager, and Stephen French, City Solicitor
- VISITORS** Visitors included: Joshua Vincent, Mark Kopp, Rose Ann Herzing, Richard Herzing, Warren Stewart, John Grotzinger, Richard Sadley, and Denny Nero
- MINUTES OF SEPTEMBER 8, 2003** Jerry Marshall questioned wording used by Manager Azain regarding the path from City Hall to Benzinger Park. Mr. Marshall felt that the phrase "Nature Trail" should be "Walkway". Council was in agreement.
- A motion was made by Robert Roberts to approve the minutes of September 8, 2003, seconded by Thomas Farley, and all were in favor.
- REPORT ON EXECUTIVE SESSION** Mayor Meier stated that an Executive Session was held prior to this meeting to discuss employees' grievances.
- REMOVED FROM AGENDA** Mayor Meier removed the Manager's Evaluation from the Agenda. More paper work needs to be completed.
- GUEST**
Joshua Vincent re:
Two-Tier Tax
Program
- Joshua Vincent, Executive Director of the Center for the Study of Economics, presented a proposal on the Two-Tier Tax Program for the City. He stated that this proposal would lower tax rates on buildings and increase tax rates on vacant land. Thomas Farley questioned the definition of vacant land. Mr. Vincent felt that it is land without structures.
- Mr. Vincent explained some of the advantages of the Two-Tier Tax Program. He felt this program would be right for St. Marys. He suggested contacting other communities that have adopted the program successfully. Mr. Vincent is to furnish the list of the communities to the Manager. The list should also include the communities who tried the program and failed.

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Mr. Vincent also presented to Council, for their review, a Summary of the Effects of the Two-Rate (land value) Property Taxation for the City of St. Marys.

Mayor Meier thanked Joshua Vincent for his presentation and felt that the Two-Tier Tax be brought before Council at a future meeting. The Mayor also felt there is no need for Mr. Vincent to come back.

Since the City is a Home Rule Community, Solicitor French was asked to research the Two-Tier Tax Program.

OLD BUSINESS

Goals and Objectives

A revised list of the Goals and Objectives for the City was presented to Council for their review and comments. The majority of the Goals and Objectives have been completed or are on-going. Mayor Meier would like to see dates when on-going issues were last discussed and dates when the next meetings are scheduled to continue discussing the issues.

MANAGER'S REPORT

Manager Azain presented the following report:

- The City wishes to thank Sgt. Bill Laird of the 347th QM for setting-up the Reserve Center for the recent hurricane emergency.
- Two new police cars are in place and two will be in by the end of the week.
- City is working on getting clearance to build the walkway from City Hall to Benzinger Park for a total of 330 feet.
- The City is removing two loads of limbs a day from the compost facility because we cannot chip them up fast enough. The City is applying for a grant for a new chipper.
- City repaired lights at Benzinger Park.
- The City has a verbal acceptance of Grotzinger and Wright Roads from the State.
- Fall Clean-up tallied 475 vehicles within five hours.
- The Elk Creek Interceptor is 99% pipe complete. Paving will begin October 1st.
- City was going to put bigger drains in Hickory Road but we received a letter from one of the homeowner's attorney which essentially stopped the project.
- City is continuing our paving program on upper Center, West Mill and Church Streets. Chestnut Street and East Oilwell Street will be paved next year.

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- City cleaned out 40 catch basins and contracted another 37 catch basins in the lower lying areas.
- City is trying to get a permit to encroach the creek on Wright Road.
- Council will receive a copy of the proposed budget work schedule this week.

COMMITTEE REPORTS

Jerry Marshall commended Robert Roberts and Officer Pat Kellogg for saving the City money on the purchase of the police vehicles from the State. Robert Roberts felt the Public Safety Director, David Hanauer and Finance Director, Carol Yost should also be commended. Repairs on the vehicles will be done locally.

APPROVAL OF EXPENDITURES

Thomas Farley made a motion to approve the Expenditures for August 15, 2003 through September 12, 2003. The motion was seconded by Jerry Marshall and all were in favor.

TREASURER'S REPORT

Mayor Meier presented the Treasurer's Report for August, 2003. As of August 31, 2003, the report from the Tax Collector showed there was \$213,083.98 of Real Estate Taxes outstanding and \$5,610.00 in Per Capita Taxes for a total of \$218,693.98 of tax revenue still due the City for 2003. There was a \$500,000. transfer to the Municipal Authority from the Sewer Fund for the 1999 commitment for the Wastewater Treatment Plant expansion.

COMMUNICATIONS

Letter from EDC
re: Requesting
Release of Funds

A letter was received from Raymond Klaiber, Executive Director of the St. Marys Area Economic Development Corporation. Mr. Klaiber requested that the City release the budget allocation of \$4,000.00 to EDC. A motion was made by Jerry Marshall to release the funds to EDC, seconded by Robert Roberts, and all were in favor.

Letter from City
of Toledo re:
National Bible Week

A letter was received from Jack Ford, the Mayor of the City of Toledo, stating that the National Bible Association is requesting that everyone observe National Bible Week, November 23-30, 2003.

Neighbor of Choice
Committee, OSRAM

Mayor Meier stated that the Neighbor of Choice Committee of OSRAM in St. Marys recently invited local Law Enforcement and Law Agencies to attend a presentation by the Butler County Drug Task Force. Public Safety Director, David Hanauer, attended. A follow-up meeting will be held on October 24, 2003. The City will be receiving an invitation to attend.

SUBDIVISION APPLICATIONS

Richard Nussbaum,
592 Fillmore Road

Robert Roberts made a motion to approve the subdivision application for Richard Nussbaum, 592 Fillmore Road. The motion was seconded by Thomas Farley and all were in favor.

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Gail Salter,
497 Walnut Street

Thomas Farley made a motion to approve the subdivision Application for Gail Salter, 497 Walnut Street. The motion was seconded by Gelindo Bonfardine and all were in favor.

John & Phyllis Grotzinger
Cloverhill Estates,
Route 120

Robert Roberts made a motion to approve the Subdivision Application for John & Phyllis Grotzinger, Cloverhill Estates, Route 120 with stipulations. The motion was seconded by Thomas Farley and all were in favor. Property from Lot G3 of the Cloverhill Estates is being added to Lots G1 and G2.

Cloverhill Estates,
Route 120

Robert Roberts made a motion to approve the Subdivision Application for Cloverhill Estates, Route 120 for 1.46 acres. The motion was seconded by Thomas Farley and all were in favor. This subdivision is adding property to the Grotzinger Lawn and Garden business on Route 120.

Cloverhill Estates,
Route 120

Thomas Farley made a motion to approve the Subdivision Application for Cloverhill Estates, Route 120 with stipulations and contingencies of the Planning Commission for Lots RF-9, RF-10, and RF-11. The motion was seconded by Gelindo Bonfardine and all were in favor. These three lots are being added to a previous eight lot subdivision of the Cloverhill Estates.

LAND DEVELOPMENT
Kessel Construction,
Inc., Trout Run Road

A Land Development Application was submitted by Kessel Construction, Inc. for a *5,000' addition to Pennsylvania Powdered Metals on Trout Run Road.

*5,000' should
be 5,000 sq.ft.

A motion was made by Robert Roberts to approve the Land Development Application for Kessel Construction on 2.3 acres. The motion was seconded by Thomas Farley and all were in favor.

SMOKEFREE WORKPLACES

Mayor Meier was approached by several citizens who inquired if the City had an ordinance for under 18 years of age smokers who attend dances and then leave the dance hall to smoke outside. They were informed by the Police that nothing can be done because there is no ordinance prohibiting them from smoking. Solicitor French was asked to review this request and provide Council with a recommendation.

**LETTER OF SUPPORT
FOR COUNTY RAILS TO
TRAILS**

Elk County Officials are requesting a letter of support from the City for a feasibility study for a Rails to Trails project on the abandoned Allegheny and Eastern Railroad between Emporium and St. Marys. A motion was made by Robert Roberts to send a letter of support to the County for a Rails to Trails feasibility study. The motion was seconded by Jerry Marshall and all were in favor.

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CITIZENS COMMENTS ON
NON-AGENDA ITEMS

Richard Herzing of Rosely Road expressed his concern regarding the water tower being constructed by the Water Authority on Rosely Road. He wanted to know if the City could stop the project, since the Authority has not yet received the proper permits or had the land surveyed to see if the tower is being built on the right location. Solicitor French stated that the City can stop construction until the permits have been obtained, but cannot force them to have a survey done. Manager Azain will contact the Water Authority regarding this issue.

COUNCIL COMMENTS
Jerry Marshall

Jerry Marshall was informed by the Manager that the cleaning of the detention ponds has begun; the mine drilling has also begun on Vermont Road; the barrier (cone) on Rightmeyer Street and Prince Alley is being taken care of by the Street Superintendent; paving will be done on Depot Street from Fourth Street to Stackpole Street; and that the Street Superintendent looked at the road leading to the softball field off of Robin Road and felt that the best time to make any improvements to the road would be next year before the softball season begins.

Thomas Farley

Thomas Farley asked if a tree could be removed from Brewery Run in Memorial Park near the footpath. The tree will be removed by the Street Department.

Robert Roberts

Robert Roberts inquired when the stormwater situation on Depot Street will be corrected. Manager Azain stated the road will be completely covered over temporarily at this time because of a future City project to replace storm sewers in the street.

Mayor Meier

Mayor Meier asked about the vacant lot at the end of Straub Avenue near Memorial Park. The Manager stated the property owner wanted \$20,000. or \$10,000. for two years. Manager Azain offered \$15,000. with a Tax write-off of \$5,000. As of this date, no response was received. The Mayor felt the Recreation Board should be involved since the lot would mean additional parking at Memorial Park.

Mayor Meier requested that the property owner on Depot Street be contacted to remove the reoccurring accumulation of tires. The property owner has been contacted. He would also like to see the weeds taken care of along Depot Street, Fourth Street to Stackpole Street. Land owners were contacted and if not taken care of, the City could do the work and bill the property owners.

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Mayor Meier also inquired about the status of the central drop-off points for recycling. The County brought-in an advisor and the City will receive the County's recommendation by September 30, 2003. The Manager would like to discontinue curbside recycling and only use all the drop-off points.

Mayor Meier asked about bike racks in the downtown area. Manager Azain stated this was a Main Street project and that he would contact Donna Marasco.

Mayor Meier asked if the City is still planning to reconstruct Columbus Street next year. Manager Azain stated a meeting will be held with the residents within the next couple of months.

ANNOUNCEMENTS

Mayor Meier made the following announcements:

- Next Council Meeting will be held on October 6, 2003 at 7:00 p.m.
- Halloween Night will be observed on Friday, October 31, 2003 from 6:00 to 8:00 p.m. by porch light invitation only.

ADJOURNMENT

Robert Roberts made a motion to adjourn the meeting, seconded by Jerry Marshall, and all were in favor.

David P. Meier 10/15/03

Mayor David Meier

Shirley Dicklas

Recording Secretary