

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

OCTOBER 19, 2015

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Robert Howard on Monday, October 19, 2015 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 15, 2015, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG**ROLL CALL**

Present: Mayor Robert Howard, Gary Anderson, Sally Geyer, Nedward Jacob, Gregory Gebauer, Lou Radkowski, Bob Mohr, Solicitor Thomas Wagner and Manager Timothy Pearson.

VISITORS

Visitors included: Tom Laird, Amy Cherry, Steve Millsop, Mason Catalone, Matthew Pfeufer, Tina Gradizzi, Richard Sadley, Warren Stewart, Colin Deppen, Mike Brock, Art Colaprete and Tim Ruffner.

APPROVAL OF MINUTES

October 5, 2015

Motion

Correction

Sally Geyer made a motion to approve the minutes of October 5, 2015, seconded by Gary Anderson.

Gary Anderson stated on page three of the minutes under Crystal Fire Department Budget, the following correction was needed: the motion be changed from "seconded by Gary Anderson" to "seconded by Bob Mohr".

Motion Passed

All were in favor to approve the October 5, 2015 minutes with the above noted correction, except Gregory Gebauer who abstained.

REPORT ON EXECUTIVE SESSIONS

Mayor Howard stated an Executive Session was held on October 8, 2015 at 6:00 p.m. regarding legal matters. No decisions were made.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

Manager Pearson provided the following report:

September 29th, 2015 was appointed as City Manager and also worked that evening with Emergency Services and the Street Department due to heavy rain that caused flooding.

October 5th, 2015 met with City staff and provided his philosophy for the future.

During the last two weeks he had been setting priorities for the City, met with the Union regarding contract negotiations, met with the City's insurance carrier, City Solicitor and various City Authorities. He had reviewed the City's Mission and Vision statement and reviewed and began to prioritize the recommendations contained in the Novak Group Report.

MAYOR'S REPORT

Mayor Howard provided the following report:

- Attended the Mayor's Association meeting
- Attended a ribbon cutting ceremony at the new Goodwill Donation Center

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SOLICITOR'S REPORT

Solicitor Wagner stated his report was later on the agenda for discussion.

APPROVAL OF EXPENDITURES

Motion Passed

Gary Anderson made a motion to approve the Expenditures from September 14, 2015 until October 11, 2015, seconded by Sally Geyer and all were in favor.

TREASURER'S REPORT

Mayor Howard gave the following Treasurer's Report for September 30, 2015:

Revenue collected for the General Fund was at 70 percent of budget, down from last year of 87 percent and in 2013 was at 90 percent. General Fund Expenditures were at 69 percent and in 2013 was 65 percent. Real Estate tax revenue was at 97 percent of budget and last year was at 96 percent. Earned Income was at 76 percent of budget compared to last year at 78 percent of budget.

LEGISLATIVE ACTION:**Consider for adoption:**

Resolution No. 15-9, re: 2015
Community Development Block
Grant Application
Motion Passed

Resolution No. 15-9 was presented for adoption to file the 2015 Community Development Block Grant (CBDG) Application based on prior public hearings.

Sally Geyer made a motion to adopt Resolution No. 15-9, seconded by Bob Mohr, and all were in favor.

Resolution No. 15-10, re:
Authorizing the City to enter into a
loan agreement with the
Pennsylvania Infrastructure Bank
(PIB Loan)

Resolution No. 15-10 was presented for adoption authorizing the City of St. Marys to enter into a loan agreement with the Pennsylvania Infrastructure Bank. (PIB Loan) in the amount of one million dollars for the paving of certain City streets.

Motion

Nedward Jacob made a motion to adopt Resolution No. 15-10, seconded by Sally Geyer.

Discussion

Nedward Jacob questioned if the loan was approved and Solicitor Wagner responded more paperwork was needed to complete the approval process.

Motion Passed

All were in favor to adopt Resolution No. 15-10.

Resolution No. 15-11, re:
Establishing the rate for hourly
parking passes in City parking lots

Resolution No. 15-11 was presented for adoption establishing the rate for hourly passes in City parking lots.

Solicitor Wagner explained the rate had not yet been set for parking passes issued at pay machines. (Ex. parking garage)

Motion Passed

Nedward Jacob made a motion to adopt Resolution No. 15-11, seconded by Sally Geyer and all were in favor.

Approval of commitment letter to
Stackpole Hall Foundation

Manager Pearson requested Council's approval of a commitment letter to the Stackpole Hall Foundation as previously discussed to move forward with the implementation of the Community Notification System. As requested, he had provided Council with additional information.

Motion

Gregory Gebauer made a motion to approve the commitment letter to the Stackpole Hall Foundation, seconded by Sally Geyer.

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- Discussion Nedward Jacob questioned the “per door” cost and the set-up fee and Manager Pearson explained the cost breakdown per door per message options.
- Motion Passed All were in favor to approve the commitment letter.
- Appointment to the Recreation Board to fill an unexpired term
Motion Passed Gregory Gebauer made a motion to appoint Jim Wolf to the Recreation Board to fill the unexpired term of Ken Wolfe, seconded by Sally Geyer and all were in favor.
- Subdivision Applications:**
Kaul Land Company, 1030
Brusselles Street A subdivision application was presented from Kaul Land Company for property located at 1030 Brusselles Street. The subdivision proposed to divide a 0.43 acre lot from a 50.784 acre parcel as a rear lot addition to an adjoining parcel. The residual parcel is considered vacant. The receiving parcel contains a machine shop and associated parking lot. No new building lots will result from this subdivision. The Planning Commission recommended approval of the subdivision with no comments.
- Motion Passed Sally Geyer made a motion to approve the Kaul Land Company subdivision application, seconded by Bob Mohr, and all were in favor.
- Michael J. Wittman, 1851 Bucktail
Road A subdivision application was presented from Michael J. Wittman for property located at 1851 Bucktail Road. The subdivision proposed to divide a 10.018 acre lot from a 45.5 acre parcel as a standalone agricultural lot. The residual parcel contains a single family dwelling with public water and onlot sewage disposal and will be accessed via a 20 foot private right-of-way. No new building lots will result from this subdivision. A waiver of the 50 acre survey requirement had been requested and a non-building waiver had been submitted. The Planning Commission recommended approval of the subdivision with no comments.
- Motion Passed Sally Geyer made a motion to approve the Michael J. Wittman subdivision application seconded by Bob Mohr.
- Discussion Nedward Jacob questioned the waiver of the 50 acre survey requirement and Bob Mohr responded the property was already surveyed and the Planning Commission checked the deed and map.
- Motion Passed All were in favor to approve the Michael J. Wittman Subdivision application.
- Thomas J. and Karen E. Laird, 891
Washington Street A subdivision application was presented from Thomas J. and Karen E. Laird for property located at 891 Washington Street. The subdivision proposed to divide a 4.9010 acre lot from an 8.171 acre parcel as a standalone lot for transfer. The residual parcel contains an auto repair and sales shop and is connected to public utilities. Lot 1 is currently vacant and had access to public water and public sewer.
- Motion Passed Gary Anderson made a motion to approve the Thomas J. and Karen E. Laird subdivision application, seconded by Sally Geyer and all were in favor.

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Thomas and Joanne Parrish, 1891
Bucktail Road

A subdivision application was presented from Thomas and Joanne Parrish for property located at 1891 Bucktail Road. The subdivision proposed to divide a 2.865 acre lot from a 4.392 acre parcel to separate a seasonal dwelling from a single family dwelling. The residual parcel contains a single family dwelling with public water and onlot sewage disposal. The new lot contains a seasonal dwelling and proposed the installation of a privy-type holding tank. The application included a sewage planning module for the new lot. The Planning Commission recommended approval of the subdivision with no comments.

Motion Passed

Lou Radkowski made a motion to approve the Thomas and Joanne Parrish subdivision application, seconded by Sally Geyer and all were in favor.

Land Development Application:
Pro-Dig Enterprises, 1183 Delaum
Road

A land development application was presented from Pro-Dig Enterprises for property located at 1183 Delaum Road. The application proposed to construct a 4,000 square foot industrial building and associated parking lot. Public utilities are available. No specific use had been identified at this time. No stormwater management is required. The Planning Commission recommended approval of the land development with no comments.

Motion

Sally Geyer made a motion to approve the land development application for Pro-Dig Enterprises, seconded by Gregory Gebauer.

Discussion

Sally Geyer questioned if it was a new business and Solicitor Wagner responded it was not.

Bob Mohr commented the applicant was not allowed to blacktop the road.

Motion Passed

All were in favor to approve the land development application from Pro-Dig Enterprises.

TOPICS FOR DISCUSSION:
City Code Book – Chapter 7, Fire
Prevention and Fire Protection, Part
1

Matthew Pfeufer explained after the discussion at the last meeting he was requested to place the City Code Book, Chapter 7, Fire Prevention and Fire Protection, Part 1 on the agenda for further discussion.

Gary Anderson stated since the last discussion he had received numerous questions regarding the City Code from the Fire Department members and local farmers. In particular, how it applies to the burning of recyclables within the City and what is considered a recyclable as it pertains to wood relevant to outdoor furnaces and campfires. He questioned if it was possible to have different restrictions for residents within the Rural Conservation District (RC) and Matthew Pfeufer responded since the last meeting he was informed the Compost Site accepts wood material up to eight inches in diameter and agreed clarification was needed.

Manager Pearson requested Council provide any suggestions tonight or forward them to Mr. Pfeufer so the revisions can be drafted and presented at the next Council meeting.

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Gary Anderson suggested three items be addressed:
Recyclable materials relative to use of wood as a fuel source, clarifying the definition of the areas that allow or do not allow open burning and consider an exception for the (RC) district from the restrictions.

Council further discussed the matter and it was determined Mr. Pfeufer will revise and return at a future meeting.

Zito Media Franchise Agreement

Solicitor Wagner explained he had forwarded Council members a draft of the Zio Media Franchise Agreement and was awaiting Council's responses.

Council expressed the following concerns:

- Guaranteeing the upgrade for City Hall to ensure a better broadcast of the Council meetings
- Expediting services calls for service outages
- Time limits to respond for service calls

Solicitor Wagner requested any further comments within one week so he could forward the draft to Zito Media for their review.

Note: Tonight's live broadcast of the City Council meeting provided a picture but no sound.

Oil & Gas Ordinance Proposed revisions

Solicitor Wagner explained the Oil & Gas Committee had been sent the revised draft of the proposed ordinance. The one substantive change that was made to the ordinance was the setback requirements to be measured from the well bores on the well pad, which was originally proposed by the Oil & Gas Industry. Once Solicitor Wagner reviewed the possible problems with that type of measurement and the possibility of the setback being reduced to only 750 feet, he revised the ordinance to increase the setback to 1250 feet to resolve the possible setback problems and provide a reasonable setback distance from all well bores on the well pad.

Council discussed their concerns with the revisions and possible lawsuits.

Solicitor Wagner requested the Oil & Gas Committee review the revisions and notify him of their comments. After those comments are received from the committee he will provide a memo to Council explaining the process of adoption of the proposed revised ordinance.

CITIZEN COMMENTS ON NON-AGENDA TOPICS

Steve Millsop

Steve Millsop described an ongoing issue with a City Shade Tree at his mother's property on Center Street. He also requested Harrison Road be oil and chipped.

COUNCIL COMMENTS

Councilman Mohr

Councilman Mohr requested an Executive Session regarding personnel matters.

Councilman Radkowski

Local Events

Councilman Radkowski stated "Local Motion" will be holding an event on October 24th beginning at 11:00 a.m. promoting healthy living and wellness activities.

Councilman Radkowski announced "Innovate Elk County" will be held at the Community Education Center from October 16th thru October 20th in conjunction with

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Global Entrepreneur Week, to provide information to residents about starting or improving a business.

Councilwoman Geyer
175th Celebration Planning

Councilwoman Geyer explained the 175th Anniversary celebration committee already has begun planning a parade, a mass at the St. Marys Church, a banquet with the Historical Society and was working on a logo and banners. The next meeting will be held October 29th at 6:30 p.m. at the St. Marys Legion.

ANNOUNCEMENTS

Mayor Howard made the following announcements:

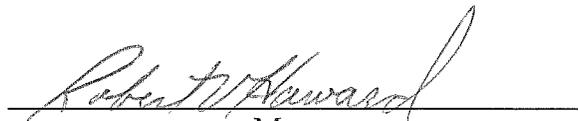
- An Executive Session will be held following adjournment of tonight's meeting regarding personnel matters.
- The next Council worksession will be held Monday, November 2, 2015 at 7:00 p.m. at City Hall.
- "Trick or Treat" will be held on Saturday, October 31st, 2015 from 6:00 p.m. until 8:00 p.m. by porch light invitation only.

ADJOURNMENT

Gary Anderson made a motion to adjourn the meeting. Meeting adjourned at 8.06 p.m.



Recording Secretary



Mayor