

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

JANUARY 18, 2016

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Robert Howard on Monday, January 18, 2016 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 January 14, 2016, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG**ROLL CALL**

Present: Mayor Robert Howard, Gary Anderson, Andrew Mohney, Nedward Jacob, Gregory Gebauer, Lou Radkowski, Bob Mohr, Solicitor Representative Bradley Kraus and Manager Timothy Pearson.

VISITORS

Visitors included: Ed Badeau, Chris Nestor, Katie Weidenboerner, Amy Cherry, Todd Caltagarone, Mason Catalone, Richard Sadley, Mike Brock, Paul Fleming, Warren Stewart and Chuck Abraham.

PRESENTATION OF LIFE SAVING CITATIONS

Chief of Police Todd Caltagarone stated, "Each day our first responders work to ensure the safety and improve the quality of life of our citizens. They are frequently called upon during times of crisis to restore equilibrium and to intervene to save lives and protect property. Sometimes the event is so dramatic and the outcome so good that the story has to be told and those involved need to be recognized. Today we are here to recognize three of our first responders for saving the life of a three month old infant child (Bentley Shores). Those individuals are Debra Sidelinger, a 911 Dispatcher, Ed Badeau, an Emergency Medical Technician, and Sgt. Anthony Pistner, a Police Officer. Joining me for this special event is Sherri Lovett, the Elk County 911 Coordinator, Ms. Kelly Bowers with her infant son Bentley, and several of Sgt. Anthony Pistner's fellow Police Officers as well as family members of these First Responders".

Chief Caltagarone described the events that took place on December 6, 2015, which distinguished each of the recipients as deserving of this special recognition.

Mayor Howard presented citations to Elk County 911 Dispatcher Debra Sidelinger, E.M.T. Ed Badeau and Sergeant Anthony Pistner.

Council and the audience gave them a lengthy round of applause.

APPROVAL OF MINUTES
January 4, 2016
Motion Passed

Gary Anderson made a motion to approve the minutes of January 4, 2016, seconded by Nedward Jacob and all were in favor.

REPORT ON EXECUTIVE SESSIONS

Mayor Howard stated an Executive Session was held on Thursday, January 7, 2016 at 4:30 p.m., regarding personnel matters. No decisions were made.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

MAYOR'S REPORT

Mayor Howard provided the following report:

- Met with the 6th grade students at South St. Marys Middle School in response to their letters sent to

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Council with questions, suggestions and ideas. Councilmen Radkowski and Mohr and Manager Pearson were also in attendance.

MANAGER'S REPORT

Manager Pearson reported the following:

- Updating the sewer billing system to increase efficiency was in progress.
- Focus on enforcement of speeding on South St. Marys Street was implemented.
- City Police Officers presented a class on trends and issues with illegal drugs to the Leadership Elk County members.
- Applications were received for the Street Department positions and interviews were being finalized.

SOLICITOR'S REPORT

Solicitor Representative Bradley Kraus had nothing to report.

APPROVAL OF EXPENDITURES

Motion Passed

Bob Mohr made a motion to approve the Expenditures from December 20, 2015 until January 16, 2016, seconded by Gary Anderson and all were in favor.

TREASURER'S REPORT

Manager Pearson gave the following Treasurer's Report for December 30, 2015:

As for now, the total Revenue for the General Fund was at \$7,273,193 or 97 percent of budget and the Expenditures to date were at \$6,869,601 or 91 percent of budget. All other funds are well within its budget with some carryovers to next year including the Sewage Treatment Fund. \$1 million dollars was transferred from the General Fund to the Capital Reserve Fund in 2015 for the Capital Improvement Plan. Total current Real Estate tax revenue received in 2015 was \$3,802,508. Total outstanding for 2015 was \$162,083. Total Earned Income collected was \$1,471,654. Pension Plans have decreased from last year. As of now, the City has not received the 4th quarter delinquent Real Estate tax revenue from the County, so figures for the end of the year will change and will be adjusted. Final Financial reports will be available along with the audit report in May of 2016. The City's total outstanding debt as of December 31, 2015 was \$4,646,779 which does not include the loans that have guaranty agreements with the City.

LEGISLATIVE ACTION:**Consider for adoption:**

Resolution 16-2, re:

Authorization to sign agreement with PennDOT for the year 2016.

Resolution No. 16-2 was presented for adoption authorizing the signing of agreements with PennDOT for the year 2016.

Nedward Jacob made a motion to adopt Resolution No., 16-2, seconded by Gary Anderson and all were in favor.

Resolution No. 16-3, re:

Revised City Fee Schedule

Resolution No. 16-3 was presented for adoption revising the City Fee Schedule for 2016.

Lou Radkowski made a motion to adopt Resolution No. 16-3, seconded by Gregory Gebauer.

Nedward Jacob questioned the addition of a twenty-five cent an hour parking pass fee and Manager Pearson responded the fee was for the parking garage ticket machines.

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Nedward Jacob also questioned the increase in filing fees and Manager Pearson responded the filing fees were increased on some and decreased on others to provide uniformity for the filing fees, which required the same administrative filing process.

All were in favor to adopt Resolution No. 16-3.

Consider for publication:

An ordinance amending the City Code Chapter 21, regulating street and sidewalks requiring the prompt removal of snow and ice from sidewalks.
Motion

An ordinance amending the City Code Chapter 21, regulating street and sidewalks requiring the prompt removal of snow and ice from sidewalks.

Lou Radkowski made a motion to publish the ordinance amending Chapter 21, seconded by Bob Mohr.

Council, Matthew Pfeufer and Manager Pearson discussed numerous concerns with the ordinance specifically the timing of the enforcement and Manager Pearson explained himself, Solicitor Wagner and City staff were already scheduled to review and discuss a possible ticketing enforcement option.

Motion Withdrawn

After further discussion, Lou Radkowski withdrew his motion and Bob Mohr withdrew his second. Motion Withdrawn.

The following motion was then made:

Motion Passed

Nedward Jacob made a motion to move the next two items on the agenda for consideration for publication regarding Chapters 18 and Chapter 20, to item C. Topics For Discussion, seconded by Gregory Gebauer and all were in favor.

Appointment to the Municipal Authority
Motion Passed

Gary Anderson made a motion to appoint Derek Wolfanger to the Municipal Authority for a five year term, seconded by Bob Mohr and all were in favor.

TOPICS FOR DISCUSSION:
Revised Oil & Gas proposed ordinance

Solicitor representative Bradley Kraus explained Solicitor Wagner had informed him that Council had received the current revised Oil & Gas proposed ordinance and had an opportunity to review the information. He believed the ordinance could be considered for publication.

Nedward Jacob questioned the 1,250 feet setback from the well bore and the 1,000 feet setback from the edge of the well pad from an occupied structure and Gary Anderson responded the well bore was a fixed point on the well pad for determining the setback.

Nedward Jacob also questioned the compressor station or generator setback of 1,000 feet and believed all of the setbacks should be from the edge of the well pad and Gary Anderson responded, he suggested Councilman Jacob make a motion to change it (the ordinance).

Motion Died for lack of a second

Nedward Jacob made a motion to change the setback to an occupied structure to be measured from the edge of the well pad rather than from the well bore. Motion died for lack of a second.

Manager Pearson stated since the matter was only for discussion and not publication, he suggested to first forward the comments to Solicitor Wagner.

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Nedward Jacob also questioned the schedule of the removal of the station and Lou Radkowski responded it appeared that it was only for the gas compression station.

Nedward Jacob questioned what the life of a compressor station was and Gary Anderson responded some of the ones in the National Forest have been there for 100 years.

Council discussed the above questions and it was determined to forward the questions to the Solicitor and wait for his response.

Code Book Revisions Chapters
7 & 10

Manager Pearson explained Code Book Revisions of Chapters 7 & 10 had previously been discussed with Council and the draft of the suggested revisions were being presented tonight for Council's review. If Council agreed the revisions would be placed in an ordinance format for their consideration to publish.

Council, the City Manager, Code Enforcement Officer, Matthew Pfeufer and Solicitor Representative Bradley Kraus discussed the following concerns:

Chapter 7: Uncontained outdoor fires only permitted in RC districts and Manager approval for exceptions.

The Manager would discuss the matter with the Fire Chief. No other concerns were noted.

Chapter 10 – Junked vehicle definition and the timeframe for enforcement.

The Manager will discuss the concerns with the Solicitor and Code Enforcement.

Chapter 10 - Noise disturbances of amplified sound definition and the timeframe for enforcement.

It was determined the human voice was not included in this definition and would be better addressed through disorderly conduct and enforced by the Police Department. It was also suggested to add the wording, "digital music player" to bring the ordinance up to date.

The Manager would discuss the concerns with the Police Chief and the Solicitor.

Code Book Chapters 18 and 20
(moved from Legislative
Action)

Manager Pearson explained Code Book Chapters 18 and 20 were moved by motion of Council to Topics for Discussion and offered to send Council a version with the changes highlighted for their review.

Council had the following concerns on Chapter 18:

Regulations and billing of a sewer customer who did not have a public water connection or had a separate water meter for water that does not enter the sewer system, and the sewer rental rate for those situations.

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Council had the following concerns with Chapter 20:

The difference of corrugated paper versus cardboard, the designee as the solid waste coordinator and a typo.

The Manager will research their concerns.

**CITIZEN COMMENTS ON
NON-AGENDA TOPICS**

Paul Fleming commented Council should take into consideration used cars, car dealerships and race cars when reviewing the junked vehicle ordinance.

COUNCIL COMMENTS

Councilman Mohr commented the visit to the St. Marys Area Middle School was very interesting and the children were very intelligent and asked intelligent questions.

Councilman Mohny commented the issue of snow shoveling should become a matter of pride.

ANNOUNCEMENTS

Mayor Howard made the following announcements:

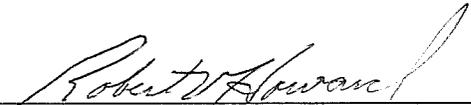
- The next Council worksession will be held Monday, February 1, 2016 at 7:00 p.m. at City Hall.

ADJOURNMENT

Gary Anderson made a motion to adjourn the meeting. Meeting adjourned at 8:55 p.m.



Recording Secretary



Mayor