

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

MAY 19, 2014

**CALL TO ORDER**

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Robert Howard on Monday, May 19, 2014 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 May 15, 2014, posted at City Hall and published in the Daily Press.

**PLEDGE TO THE FLAG****ROLL CALL**

Present: Mayor Robert Howard, Sally Geyer, Nedward Jacob, Gregory Gebauer, Lou Radkowski, Robert Mohr, Manager David Greene and Solicitor Thomas Wagner. Gary Anderson was excused.

**VISITORS**

Visitors included: Bill and Arlene Park, Amy Cherry, Warren Stewart, Katie Weidenboerner, Colin Deppen Richard Sadley and Jeremy Thaxter.

**APPROVAL OF MINUTES  
May 5, 2014**

Sally Geyer made a motion to approve the minutes of May 5, 2014, seconded by Robert Mohr and all were in favor.

**CITIZEN COMMENTS ON  
AGENDA TOPICS**

There were no citizen comments on agenda topics.

**MAYOR'S REPORT**

Mayor Howard provided the following report:

Mayor attended the recent Arbor Day Ceremony.

Mayor assisted the St. Marys Servicemen's Detail with the placement of crosses at the St. Marys Church in honor of 93 servicemen who lost their lives while serving their Country.

Mayor attended the Elk County Commissioners meeting.

**MANAGER'S REPORT**

April 16 – Met with a Company interested in purchasing land at the St. Marys Airport Industrial Park. Additional meetings are planned.

April 22 – Met with Ed Fosnaught from DCED to open and review the proposals from the Early Intervention Program.

April 25 – Attended the Arbor Day Ceremony and tree planting held at the new South St. Marys Street Elementary School Playground.

April 29 – Attended the Community Economic Development Strategy meeting held in Ridgway.

May 2 – Met with several individuals who are looking to build at the St. Marys Airport Industrial Park and toured the various lots that are available for sale.

May 7 – The Pension Board met with Jeff Davidek from CS McKee for an update on the pension investments.

May 8 – Attended the North Central Enterprise Board of Directors meeting held in Ridgway.

May 12 – Attended a meeting with the Developers of the new hotel along with Pat Brennen from North Central and Bob Ayoob from Thomas and Williamson.

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May 13 – Attended an informational meeting for County Leaders that was hosted by West Penn Power at the Highlands.

**SOLICITOR'S REPORT**

Solicitor Wagner commented he received a phone call from DEP regarding the latest proposed changes to the Stormwater Management Ordinance stating their satisfaction with the changes. They will be sending a letter instructing the City to move forward with the adoption of the ordinance.

Also, he has reviewed a draft of a City Employee Handbook. After both unions review the final draft it will be presented to Council.

**APPROVAL OF EXPENDITURES**

Motion

Lou Radkowski made a motion to approve the Expenditures from April 14, 2014 until May 14, 2014, seconded by Sally Geyer.

Questions

Manager Greene responded to questions from Council regarding the Expenditures.

Motion Passed

All were in favor to approve the Expenditures.

**TREASURER'S REPORT**

Mayor Howard gave the following Treasurer's Report:

As of the end of April the City has collected 19 percent of the current Real Estate Tax Revenue, down from last year of 20 percent and in 2012 18 percent was collected. Earned Income Tax collected as of April 30, 2014 was \$442,213, down from last year of \$485,511, and in 2012 \$341,332 was collected. As of May 7<sup>th</sup>, 2014 the City collected \$3,266,825 in current Real Estate taxes and in 2013 \$3,335,956 was collected. Total outstanding as of April 30, 2014 is \$714,955 and in 2013 total outstanding current Real Estate taxes were \$648,066.

Sewage Treatment fund cash on hand as of April 30, 2014 is \$725,840.41, as of April 30, 2013 it was \$757,232.47 and in 2012 it was \$1,032,552. Fund balance for the Sewage Treatment Fund for April of 2014 is \$1,912,708 and in 2013 it was \$1,854,451 and in 2012 it was \$2,078,000.

In April, the Recreation Board received grant funding of \$155,000: \$60,000 from Stackpole Hall Foundation and \$95,000 from Palumbo Charitable Trust. The funding will be used for the Multi-Parks Project – Phase I.

Manager Greene commented the Earned Income amounts were still balancing out, due to the transition of the collection from one agency to another.

**LEGISLATIVE ACTION:**

Consider for adoption: Ordinance No. 289, re: Restricting the hours of operation of transient retail business

Ordinance No. 289 was presented for adoption amending the St. Marys City Code to restrict the hours of operation of transient retail business from 8:00 a.m. until 6:00 p.m. The ordinance was duly advertised and displayed.

Motion Passed

Nedward Jacob made a motion to adopt Ordinance No. 289, seconded by Lou Radkowski and all were in favor.

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Resolution No. 14-7, re: 2014  
Application for Elk County Liquid  
Fuel Funds, \$9,000

Resolution No. 14-7 was presented for adoption applying  
for Elk County Liquid Fuel funds in the amount of  
\$9,000.00 for the purchase of 1b limestone.

Motion

Sally Geyer made a motion to approve Resolution No. 14-  
7, seconded by Robert Mohr.

Discussion

Nedward Jacob questioned if Councilman Anderson had  
previously stated his dissatisfaction with this item.

Mayor Howard responded he believed it was. Mayor  
Howard also stated he had stated his dissatisfaction to the  
County Commissioners and he believed the distribution  
was unfair. The City would be more proactive next year.

Nedward Jacob confirmed that all twelve municipalities in  
Elk County receive the same amount.

Sally Geyer stated the allotted amount from the County  
was the same for each municipality regardless of  
population or amount of roads. She further questioned if  
Council could not accept the amount and request more and  
Council responded the amount was set for this year and  
could not be changed.

Gregory Gebauer stated the City receives the largest  
amount in the County of liquid fuel monies from the State.

Solicitor Wagner stated he believed the County did not  
have to distribute the funds at all. The County could  
utilize the funds for their own projects.

Gregory Gebauer stated he believed the County was able  
to distribute the funds at their discretion and because the  
smaller municipalities did not have a large tax base the  
County decided to distribute the funds equally. He stated  
he did not have a problem with how the County was  
distributing the funds once he was made aware that the  
City receives the most funding from the State based on its  
size.

Nedward Jacob stated the City has more roads than the  
other municipalities.

Mayor Howard commented the City has considerable  
more expenses because of the number of roads.

Motion Passed

All were in favor to approve Resolution No. 14-7.

Award of Bid: 2014 Blacktop  
Patching Services

Manager Greene stated on Wednesday April 30, 2014 the  
following bids were opened at a public meeting for the  
2014 blacktop patching services:

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Bidder	5,577 s.y.	
	Removal of Existing Pavement	1,993 tons 19mm Binder
New Enterprise Stone New Enterprise, PA	7.25/sq. yd. 40,443.25	83.55/ton 166,515.15
HRI, Inc. State College, PA	11.50/sq. yd. 64,135.50	107.50/ton 214,247.50
G.O. Hawbaker DuBois, PA	10.50/sq.yd. 58,558.50	118.00/ton 235,174.00
Jefferson Paving Brookville, PA	20.01/sq.yd 111,595.77	114.46/ton 228,118.78
St. Marys Paving St. Marys, PA	10.00/sq.yd. 55,770.00	125.00/ton 249,125.00

New Enterprise Stone & Lime of New Enterprise, PA was the overall low bidder with a bid of \$40,433.25 for blacktop removal and \$166,515.15 for 19mm binder.

The following streets were included in the bid: East Arch Street, Maple Street, Beech Road, Locust Road, East Mill Street, Oak Street, West Mill Street and Walnut Street. Streets may be added or removed from the list.

All bid requirements were met and the Street Superintendent recommended the bid be awarded to New Enterprise as the lowest responsible bidder.

Motion

Sally Geyer made a motion to award the bid to New Enterprise as recommended, seconded by Nedward Jacob.

Discussion

Sally Geyer commented the bid amounts were very wide spread.

Motion Passed

Manager Greene commented the bid amounts vary according to if the contractor is already in the area performing other work.

All were in favor to award the bid to New Enterprise.

Subdivision Applications:  
Arlene Park, Wild Goose Lane

A subdivision application was received from Arlene Park for property located on Wild Goose Lane. The subdivision proposes to convey a 0.395 acre lot from a 2.005 acre parcel as a side lot addition to an adjacent parcel to correct a building encroachment. The remaining parcel is 1.61 acre in size. Both parcels are developed with single family dwellings and onlot sewage disposal systems. No new building lots will be created as a result of the subdivision. There was no zoning issues and the Planning Commission recommended approval without any comments.

Motion

Sally Geyer made a motion to approve the Arlene Park subdivision application, seconded by Nedward Jacob.

Discussion

Sally Geyer asked where Wild Goose Lane was located and Robert Mohr responded on the left along Bucktail Trail.

Motion Passed

All were in favor to approve the subdivision application.

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David and Mary Jo Scott, E.  
Eschbach Road

A subdivision application was received from David and Mary Jo Scott for property located on East Eschbach Road. The subdivision proposes to divide a 4.871 acre lot from a 27.944 acre parcel as a new building lot. The new lot is proposing to utilize an existing onlot sewage disposal system and public water. The residual parcel is 23.073 acres and contains an existing house with an onlot sewage disposal system and public water. The subdivision is in compliance with the zoning ordinance and the Planning Commission recommended approval with no comments.

Motion Passed

Nedward Jacob made a motion to approve the David and Mary Jo Scott subdivision application, seconded by Sally Geyer and all were in favor.

**TOPICS FOR DISCUSSION:**  
Presentation

Manager Greene asked Council if they would be interested in a presentation from the CEO of Penn Highlands Elk (formerly Elk Regional) at their next worksession. Council agreed and the Manager will send an invitation.

Update on Early Intervention  
Program Proposals

Gregory Gebauer asked if there was an update on the Early Intervention Program and Nedward Jacob responded at the recent meeting held an agenda was prepared and will be mailed to those companies that submitted proposals. Interviews will be scheduled as soon as possible.

Zito Media Agreement

Lou Radkowski asked when the Zito Media agreement would be discussed and Solicitor Wagner responded he would be discussing the matter with the Manager first and then negotiations would begin.

**CITIZEN COMMENTS ON  
NON-AGENDA TOPICS**

There were no citizen comments on non-agenda topics.

**COUNCIL COMMENTS**  
Councilman Radkowski  
Thank you

Councilman Radkowski wanted to express his thanks to ECCOTA, Appolo Theater and the St. Marys Public Library for their recent celebration of the 75<sup>th</sup> anniversary of the Wizard of Oz. He also wanted to thank those who attended the recent informational meeting held by Seneca Resources regarding local seismic testing.

Councilman Jacob  
Parking legislation

Councilman Jacob requested the recent drafts of legislation circulated by the Solicitor regarding parking be presented at the next Council worksession.

Councilman Gebauer  
Liquid Fuel breakdown

Councilman Gebauer provided a breakdown of amounts of the allocation from the State regarding Liquid Fuel funds.

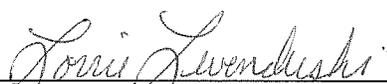
**ANNOUNCEMENTS**

Mayor Howard made the following announcement:

- The next Council worksession will be held Monday, June 2, 2014 at 7:00 p.m. at City Hall.

**ADJOURNMENT**

Sally Geyer made a motion to adjourn the meeting. Meeting adjourned at 7:36 p.m.

  
Recording Secretary

  
Mayor