

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

JUNE 16, 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, June 16, 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 June 12, 2014, 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, Robert Mohr, Manager David Greene and Solicitor Thomas Wagner.

VISITORS

Visitors included: Ken Young, Jim Tate, Chris Stebick, Lavern and Mary Kreckel, Todd Hanes, John Grotzinger, John Schatz, Warren Stewart, Todd Caltagarone, Richard Sadley, Amy Cherry, and Larry Anthony.

APPROVAL OF MINUTES
June 2, 2014

Sally Geyer made a motion to approve the minutes of June 2, 2014, seconded by Gary Anderson and all were in favor.

REPORT ON EXECUTIVE SESSION:

Mayor Howard stated there was an Executive Session held immediately prior to tonight's meeting regarding contract negotiations. 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:

An Elk County Mayor's Association has been formed and consists of Mayor Howard, Ridgway Mayor Udarbe and Johnsonburg Mayor Cherry. Meetings will be held bi-monthly on a rotating basis.

MANAGER'S REPORT

May 15- Manager met with a company interested in locating to the St Marys Airport Industrial Park.

May 19- Carol, Lorrie and Manager met to review updates to the Draft Employee Handbook. The Draft Employee handbook is currently being reviewed by the two City unions. A draft of the Handbook will be distributed to City Council once the draft is completed.

May 21- A micro-burst of rain that occurred over several hours of time during the early morning hours caused flooding of basements throughout the City. Several businesses in the Stackpole Complex experienced extreme flooding. Fourth Street was closed and three residents had to be evacuated due to flooding. In addition to Fourth Street, Sara Road, Stackpole Street and Mill Street had to be closed for a short period of time due to flooding. The City thanks the Crystal and surrounding fire departments along with the Elkland Search and Rescue Team for their diligent and untiring response to our resident's plea for help.

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May 30- Members of Council and staff met with the City auditors to review the audit for 2013 and also discussed the City's Police Pension Plan.

June 3- Members of Council and Manager attended the Groundbreaking on Depot Street for the new Cobblestone Hotel and Suites.

June 5- Members of City Council and staff met with PennDOT, Representative Gabler, residents from Windfall Road and business owners from the Stackpole Center to learn more about the flooding and damages that occurred on May 21st.

June 6- Manager met with Ken Wolfe from the Recreation Board to review previous proposals and studies on the Memorial Park Pool.

June 9- Manager met with Dave Parker from the Bureau of Aviation and representatives from GAI Associates to discuss funding for a multi-tenant building for the St. Marys Airport Industrial Park.

June 10- Members of City Council and City Staff attended a meeting with the Crystal Fire Department, St. Marys Ambulance Service and Elkland Search and Rescue Team to discuss and analyze information in reference to the recent flooding that occurred on May 21st.

June 11- Carol and Manager met with City Solicitor Tom Wagner to discuss the Zito Cable TV Franchise agreement.

June 11- Manager attended the West Creek Rails to Trails meeting held here in St. Marys.

Lou Radkowski asked for a funding update regarding the West Creek Rails to Trails and Manager Greene responded the funding for the first phase was received. They were waiting on phase two funding and an anticipated completion date within the years of 2017 to 2018.

Nedward Jacob questioned the outcome of the meeting regarding the pool and Manager Greene responded the pool is now over 50 years old and after the review of proposals it was discovered the proposals also included possible less costly upgrades.

Nedward Jacob questioned the meeting regarding the Airport Industrial Park and Manager Greene responded proposals would be brought to Council for their review.

SOLICITOR'S REPORT

Solicitor Wagner stated at Council's last meeting the Stormwater Management Ordinance was approved for publication contingent upon receiving a letter from DEP confirming their approval of the proposed revisions to the Ordinance. He further stated he did not receive the letter as anticipated and the Ordinance will not be advertised or displayed until receipt of the letter. He suggested the matter be tabled for now.

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**APPROVAL OF
EXPENDITURES**
Motion

Sally Geyer made a motion to approve the Expenditures from May 15, 2014 until June 15, 2014, seconded by Gary Anderson.

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:

Total Revenue collected for the General Fund was \$3.4 million or 56.5 percent of budget. Tax Revenue collected as of May 31, 2014 was \$3.1 million or 67.5 percent of budget. Total Expenditures for the General Fund as of May 31, 2014 was \$2 million or 33.5 percent of budget. Last year's expenditures at this time were at 30 percent of budget and in 2012 were at 32 percent and in 2011 were at 27 percent of budget. Revenue as of May 31st 2013 was at \$3.57 million or 60 percent of budget and Tax Revenue was at \$3.3 million or 73.7 percent of budget. In 2012 Total Revenue in the General Fund was \$3.2 million or 53 percent of budget and Tax Revenue was \$2.9 million or 66 percent of budget. Sewage Treatment Fund cash on hand as of May 31, 2014 was \$743,261, as of May 31, 2013 it was \$759,140 and for May 31, 2012 it was \$1,110,732. Fund balance for the Sewage Treatment Fund for May of 2014 was \$1,925,536 and in 2013 was \$1,851,232 and in 2012 was \$2,151,848.

LEGISLATIVE ACTION:
Consider for adoption: Ordinance
No. 290, re: Establishing the
procedure to set parking meter rates

Ordinance No. 290 was presented for adoption establishing the procedure to set parking meter rates. The Ordinance was duly advertised and displayed.

Nedward Jacob made a motion to adopt Ordinance No. 290, seconded by Robert Mohr and all were in favor.

Resolution No. 14-10, re:
Application for COPS Hiring Grant

Resolution No. 14-10 was presented for adoption authorizing the filing of an application to the US Department of Justice for a COPS Hiring Grant.

Tina Gradizzi, Community Economic & Development Coordinator, explained the grant would be for a full time police officer position over a three year time frame for a total amount of \$125,000 and would require a commitment for one additional year.

Chief Caltagarone detailed the staffing history of the department along with the effects it has on how the department operates.

Motion Passed

Sally Geyer made a motion to approve Resolution No, 14-10, seconded by Gregory Gebauer.

Discussion

Nedward Jacob was concerned if the Early Intervention Program Study recommended something other than utilizing this option.

Gary Anderson clarified that the Resolution was only for filing the application.

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Chief Caltagarone stated if the grant is awarded to the City, a contract would then be signed in order to move forward.

Motion Passed

All were in favor to approve Resolution No. 14-10.

Resolution No. 14-11, re:
Application for Elk County ACT 13
Funding

Resolution No. 14-11 was presented for adoption authorizing the filing of an application to the Elk County Planning Department for Elk County ACT 13 Funding in the amount of \$10,000 for the Police Department.

Chief Caltagarone explained the funds would be used towards the purchase of protective equipment as required by the Police contract.

Gregory Gebauer made a motion to approve Resolution No. 14-11, seconded by Sally Geyer and all were in favor.

Resolution No. 14-12, re:
Establishing a uniform rate for
parking meters

Resolution No. 14-12 was presented for adoption establishing a uniform rate for parking meters. (.25 cents per hour)

Motion

Nedward Jacob made a motion to approve Resolution No. 14-12, seconded by Robert Mohr.

Discussion

Gregory Gebauer questioned if this was for every meter and Manager Greene responded it would affect every hourly meter.

Nedward Jacob stated most of the meters have already been updated.

Lou Radkowski stated his concerns of the inconsistencies since the meters will register one hour for two dimes.

Nedward Jacob stated it cost \$31.00 per meter for the meters that were already converted to twenty-five cents per hour.

Manager Greene commented there may be meters in storage that were already converted to replace the rest of the meters that still need converted.

Motion Passed

All were in favor to approve Resolution No. 14-12, except Gregory Gebauer and Lou Radkowski who opposed.

C.D.B.G. Program Income Project

Tina Gradizzi, Community and Economic Development Coordinator, presented a C.D.B.G. Program Income Project for Council's consideration. As a follow-up to the last Council meeting on June 2, 2014 regarding the proceeds from the Option Agreement with Hawk Ridge Trading Company and the approval of the Program Reuse Plan the proposed project would assist with the demolition of a blighted structure located at 213 North Michael Street that would become a vacant lot.

Motion

Lou Radkowski made a motion to approve the C.D.B.G. Program Income Project, seconded Gregory Gebauer.

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- Discussion
- Gary Anderson stated he believed the owner of 213 North Michael Street should be commended for purchasing the property to improve the area and Council should want to work with developers that want to improve the community.
- Gregory Gebauer stated the building was a public safety issue.
- Sally Geyer stated anyone could purchase a blighted property and expect the taxpayers to pay to have it torn down.
- Gregory Gebauer stated he wanted to clarify the funds that would be used were not tax dollars from the City's millage based taxes.
- Gary Anderson commented he believed this was no different from the hotel grant.
- Roll Call Vote- Motion Passed
- On a roll call vote all were in favor to approve the C.D.B.G. Program Income Project, except Sally Geyer who opposed.
- Award of Contract, re: Early Intervention Program Proposal
- Gary Anderson explained the Early Intervention Committee met and interviewed the two companies that submitted proposals. It was the committee's recommendation to award the contract for the Early Intervention Program Study to The Novak Group in conjunction with PA Economy League as the lowest base bidder.
- Motion
- Gary Anderson made a motion to award the contract for the Early Intervention Proposal to The Novak Group in conjunction with the PA Economy League, seconded by Lou Radkowski.
- Comment
- Gregory Gebauer commented he believed this was a good project, but wanted to be sure that the recommendations made from the study were implemented.
- Motion Passed
- All were in favor to award the contract to The Novak Group.
- Appointment of Emergency Management Committee
- Mayor Howard stated the City is forming an Emergency Management Committee which will consist of the Mayor, two members of Council, and a representative from the Crystal Fire Department, Police Department, St. Marys Ambulance and Elkland Search & Rescue. Councilmen Radkowski and Gebauer had expressed their willingness to serve on the committee.
- Motion Passed
- Gary Anderson made a motion to form the Emergency Management committee and to appoint Lou Radkowski and Gregory Gebauer to the committee, seconded by Sally Geyer and all were in favor.
- Subdivision Applications:
Grotzinger Equipment Company,
Bucktail Road
- A subdivision application was received from Grotzinger Equipment Company for property located on Bucktail Road. This subdivision proposed to subdivide a 25.78 acre lot from a 52 acre parcel as a non-building lot. The new

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lot is proposed to be utilized for open fields. The residual parcel is 27 acres and is proposed to remain vacant. No non-building waiver was submitted with the application. The application proposed a sanitary sewer extension, but no plans or applications were submitted. The Planning Commission recommended approval of the subdivision and noted that the residual parcel contains a narrow strip of land to the south of the new lot, and that only the three signature maps were revised.

Motion Sally Geyer made a motion to approve the Grotzinger Equipment subdivision application, seconded by Robert Mohr.

Discussion Gregory Gebauer questioned if there should be a concern that no plans were submitted for sanitary sewer and Robert Mohr responded if the applicant intends to build on the property a plan will have to be submitted before a permit is issued.

Gregory Gebauer wanted to clarify that if Council approved the application the applicant would still be required to submit plans for the sanitary sewer extension and Robert Mohr responded yes.

Motion Passed All were in favor to approve the Grotzinger Equipment subdivision application.

Marc G. Nero, Fillmore Road A subdivision application was received from Marc G. Nero for property located on Fillmore Road. The subdivision proposed to divide a 10.937 acre lot from a 79.64 acre parcel as a non-building lot. The new lot is proposed to be utilized by an adjoining property, as it has in the past. A non-building waiver was requested for the new lot. The residual parcel is 68.703 acres and is remaining vacant. There are no zoning issues with the subdivision. The Planning Commission recommended approval of the subdivision with no comments.

Motion Passed Robert Mohr made a motion to approve the Marc G. Nero subdivision application, seconded by Sally Geyer and all were in favor.

Land Development Application:
Nero Enterprises, LLC, Clay Road A land development application was received from Nero Enterprises, LLC for property located on Clay Road. The land development proposed to construct a 60' X 75' equipment storage building. Sewage disposal is by a private holding tank. The Planning Commission recommended approval of the land development with no substantial comments.

Gregory Gebauer asked where the property is located and Manager Greene responded off of Bucktail Road

Manager Greene stated the City's ordinance allows for a private holding tank.

Motion Sally Geyer made a motion to approve the land development application for Nero Enterprises, LLC, seconded by Nedward Jacob.

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Discussion

Gregory Gebauer commented the words “private holding tank” were capitalized and bolded to bring it to Council’s attention for a reason.

Manager Greene stated recently Council had been questioned why the sanitary sewer line was not extended on Delaum Road and Council then wanted to know who approved private holding tanks. Per the City’s ordinance it is allowable and if requested it must be granted. Attention was brought to the matter so in the future Council is aware of who and how the holding tanks were approved.

Council broke into simultaneous numerous discussions.

Roll Call Vote- Motion Passed

On a roll call vote all were in favor to approve the land development application for Nero Enterprises, LLC for Clay Road.

Sewage Facilities Planning Module
Component 1: Scott Bennett, Cross
Road

A sewage facilities planning module component one was received from Scott Bennett for property on Cross Road. The developer (Bennett) was requesting approval of a Component 1 Planning Module to develop a 70 acre parcel with a new single family dwelling. The reasoning behind the Component 1 was because a Non-Building Waiver was issued for the residual lot when a subdivision was performed in 1997. The Planning Commission had no comments on the module.

Motion Passed

Gary Anderson made a motion to approve the Planning Module for Scott Bennett, seconded by Nedward Jacob and all were in favor.

Michael Herbstritt, Country Road

A sewage facilities planning module component one was received from Michael Herbstritt for property on Country Road. The developer (Herbstritt) was requesting approval of a Component 1 Planning Module to develop an 8 acre parcel with a new single family dwelling. The reasoning behind the Component 1 was because a Non-Building Waiver was issued for the residual lot when a subdivision was performed in 2001. The Planning Commission had no comments on the module.

Motion Passed

Sally Geyer made a motion to approve the Planning Module for Michael Herbstritt, seconded by Nedward Jacob and all were in favor.

TOPICS FOR DISCUSSION:
Grass cutting along City roads

Robert Mohr questioned when the grass would be cut along the City roadways and Manager Greene responded he would get it scheduled.

Closure of State Street

Gary Anderson commented it was his recollection the State (PennDOT) had informed Council that State Street would not be closed until West Arch Street was re-opened and Manager Greene responded he believed they were still trying to re-open West Arch and State Street had not yet been closed.

Tax Collection Revenue

Gary Anderson questioned the reduction in tax collection revenue and Manager Greene responded the face period due date was not until the end of June and revenue should be reviewed again next month for a true figure.

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Maintenance of sidewalk and retention ponds along S. St. Marys Street Project

Nedward Jacob questioned the if the City had to mow the grass and maintain the new sidewalk along the State Street area with a retention area and a retention pond on Arch Street and Manager Greene responded the City will be responsible for the sidewalk, but was not informed of any responsibility for the retention ponds.

Council and the Manager briefly discussed the matter.

CITIZEN COMMENTS ON NON-AGENDA TOPICS

Todd "Booka" Hanes

Todd "Booka" Hanes from Creekside Hospitality and the downtown hotel project thanked Manager Greene and members of Council who recently attended the groundbreaking ceremony for the new hotel. At that ceremony the hotel chain Cobblestone Hotels and Suites had presented a cardboard check in the amount of \$10,000 to the St. Marys Redevelopment Authority. Mr. Hanes then presented the official check to the City.

Larry Anthony

Larry Anthony resident of 837 Johnsonburg Road described an issue with a water problem. He had contacted PennDOT and now was requesting the City look into the matter.

COUNCIL COMMENTS

Councilwoman Geyer
Comment

Councilwoman Geyer commented she believed the hotel funding was different from the previously mentioned C.D.B.G. program income funding because the hotel would employ a number of people.

Request for Executive Session

Councilwoman Geyer requested an Executive Session be held after adjournment regarding personnel matters.

Councilman Radkowski
Request to be excused

Councilman Radkowski asked to be excused from the next meeting.

ANNOUNCEMENTS

Mayor Howard made the following announcement:

- The next Council worksession will be held Monday, July 7, 2014 at 7:00 p.m. at City Hall.
- An Executive Session will be held immediately following tonight's meeting regarding personnel matters.

ADJOURNMENT

Robert Mohr made a motion to adjourn the meeting. Meeting adjourned at 8:27 p.m.



Recording Secretary



Mayor