

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

NOVEMBER 17, 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, November 17, 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 November 13, 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, Bob Mohr, Manager David Greene and Solicitor Thomas Wagner.

**VISITORS**

Visitors included: Amy Cherry, Lad Kornacki, Warren Stewart, Richard Sadley, William Sabatose, Mike Brock and Katie Weidenboerner.

**APPROVAL OF MINUTES**  
November 3, 2014

Sally Geyer made a motion to approve the minutes of November 3, 2014, seconded by Gary Anderson and all were in favor.

Motion Passed

**REPORT ON EXECUTIVE SESSION:**

Mayor Howard stated an Executive Session was held after Council's Monday, November 3, 2014 meeting 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 stated the following:

Attended the Open House at County National Bank  
Attended and was the speaker at the Veteran's Dinner at the Bavarian Hills  
Attended the Veteran's Ceremony held on the Diamond  
Attended the Open House held at Penn Pallet  
Attended a tour of the Ridgmont assisted care facility in Ridgway

**MANAGER'S REPORT**

October 14- Carol Muhitch and the Manager met with Lecker Insurance Agency to follow up on our quote for insurance that is due November 20<sup>th</sup>.

October 20- Manager attended the CEDS meeting held at the North Central Regional Planning and Development offices in Ridgway.

October 28- Manager along with Members of Council and the Planning Commission toured the Seneca Resources Natural Gas drilling site in the City of St. Marys.

October 29- Manager attended the North Central Enterprise Corporation Board of Directors meeting held in Ridgway.

October 30- Carol Muhitch and the Manager met with Selective Insurance to review our Workers Compensation Insurance claims.

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October 30- Manager attended the Managers meeting with Fritz Lecker at Rep. Matt Gabler's office.

October 30- Manager attended the EMA meeting held here at City Hall.

November 6-Manager attended a meeting with representatives from Cobblestone Hotel to review the special conditions for the RACP grant.

November 6- Lorrie Levenduski and the Manager met with Bob Ayoob from Thomas and Williamson to discuss the RACP grant for the Parking Garage.

November 7- Carol Muhitch, Tim Brennan and the Manager met with Bob Fever from Travelers Insurance who is working on quoting our insurance with Lecker Insurance for the City.

November 7- Carol Muhitch, Travis Skrzypek and the Manager along with two members of Council attended an informational meeting with Advanced Computer Solutions to listen to a presentation and learn more about a VOIP phone system for the City.

November 12- Manager attended the Open House at Penn Pallet for the completion of a new addition to their existing facility.

**SOLICITOR'S REPORT**

Solicitor Wagner stated two active items were on his agenda:

Amendments to the Zoning Ordinance regarding Oil and Gas operations, and Zito Media franchise agreement.

Since the last meeting Solicitor Wagner and Council had the opportunity to tour a local fracking operation. He recommended himself, Council, representatives from the Oil and Gas Industry and the C.A.R.E.S. group meet to discuss the concerns with the oil and gas operations within the City and determine what will work and what will not work in the Zoning Ordinance.

Greg made a motion to appoint Sally Geyer, Gary Anderson and Mayor Howard to the committee, as recommended by the Solicitor, seconded by Nedward Jacob and all were in favor.

Solicitor Wagner further stated he had received comments from Council regarding Zito Media. He will be sending a letter to Zito Media regarding issues tomorrow. He and the Manager will continue to negotiate the franchise agreement and will report back to Council.

**APPROVAL OF EXPENDITURES**  
Motion

Gary Anderson made a motion to approve the Expenditures from October 19, 2014 until November 15, 2014, seconded by Lou Radkowski.

## Questions

Manager Greene responded to questions from Council regarding the Expenditures.

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Manager Greene stated there was approximately \$20,000 still available in RACP grant funding from the Parking Garage Project. He asked Council if they would like to utilize the remaining funds for a qualified sidewalk project or return the funds. The grant funds would need to be utilized by September of 2015. Council agreed to pursue the sidewalk option.

Motion Passed

All were in favor to approve the Expenditures.

**TREASURER'S REPORT**

Mayor Howard gave the following Treasurer's Report for October 31, 2014:

The General Fund collected 90 percent of its budgeted revenue and spent 80 percent of the budgeted amount. Last year at this time revenue collected was at 93 percent and Expenditures were at 70 percent of budget and in 2012 budgeted revenue collected was 84 percent and expenses were at 75 percent of budget. Benchmark figures would be at 83 percent. Market value in pension funds increased this month as well as year to date figures. Earned Income was at 84 percent of budget and for 2013 was at 99 percent of budget and in 2012 was 75 percent of budget at the end of October. As of November 13, 2014 Earned Income was at 90 percent of budget.

**LEGISLATIVE ACTION:****Consider for publication:**

Ordinance No. 292, re: providing for the levy and assessment of taxes for the fiscal year 2015

An Ordinance providing for the levy and assessment for the fiscal year 2015 was presented to consider for publication.

Council, the Solicitor and the Manager had a lengthy discussion regarding the Capital Reserve fund and cash carry over.

Motion

Bob Mohr made a motion to accept the budget with no tax increase, seconded by Sally Geyer.

Clarification

Solicitor Wagner clarified the motion needed was to publish the tax ordinance.

Amended Motion Passed

Bob Mohr amended his motion to publish the ordinance providing for the levy and assessment of taxes for the fiscal year 2015, and Sally Geyer amended her second and all were in favor.

Resolution re: 2015 Preliminary budget for various City funds  
Special Budget Workshop  
Scheduled

A Budget workshop will be held on Monday, November 24, 2014 at 6:00 p.m. at City Hall to further discuss the budget and to consider publication of the Resolution.

Proposal for Analytical Services

Lad Kornacki, Wastewater Treatment Plant Chief Operator, explained requests for proposals for analytical services for the Wastewater Treatment Plant were mailed to six contract laboratories. The contract will take effect on January 1, 2015 and end on December 31, 2017.

Proposals were received from the following laboratories:  
Analytical Services, Inc., Brockway  
Mountain Research, LLC, DuBois/Altoona  
Environmental Services Laboratories, Inc., Indiana

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CWM Environmental, Inc., Kittanning

He recommended the contract be awarded to Analytical Services, Inc. from Brockway as the lowest overall bidder.

Motion Passed

Gary Anderson made a motion to award the contract to Analytical Services, Inc., seconded by Nedward Jacob and all were in favor.

Employee Handbook

Manager Greene explained the City employee handbook has previously been reviewed by Council at their August 4, 2014 worksession. The changes made since their last review were being presented and approval of the handbook was being requested.

Council, the Manager and the Solicitor discussed the changes and Council's additional concerns with some of the language regarding accumulation of sick time, vacation time for individuals hired after 2005, and carryover of vacation time.

Motion

Gary Anderson made a motion to approve the changes as submitted and to have a future meeting to approve the complete handbook, seconded by Lou Radkowski.

Discussion

Council requested clarification of the motion.

The Manager stated the entire completed handbook needed Council's approval.

Council, the Manager and the Solicitor discussed the motion and the Solicitor recommended approval of the handbook in its current form with the presented changes. Council can adjust the handbook as they deem necessary.

Motion Passed

All were in favor to approve the presented changes to the handbook.

Motion

Sally Geyer made a motion to approve the City Employee Handbook with the above approved changes, seconded by Bob Mohr.

Discussion

Gary Anderson stated the motion would approve up to one year of sick pay.

Sally Geyer responded the sick pay can be changed at a later meeting. The rest of the handbook was needed now.

Roll Call Vote Motion Passed

Gary Anderson, Lou Radkowski, Gregory Gebauer voted in the negative. Bob Mohr, Nedward Jacob, Sally Geyer and Mayor Howard voted in the positive. Motion Passed.

Appointment of City Emergency Management Agency Director

Mayor Howard stated Council was being requested to appoint a City Emergency Management Agency Director.

Motion Passed

Gregory Gebauer made a motion to appoint Tim Pearson as the City Emergency Management Agency Director pending the Governor's Office of Pennsylvania approval seconded by Lou Radkowski and all were in favor.

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Subdivision Applications:  
Vollmer & Glatt/Walker, Bucktail  
Road

A subdivision application was submitted by John F. Vollmer and Barbara A. Glatt This subdivision proposes to subdivide a 0.67acre lot from a 1.48 acre parcel as a rear lot addition to an existing parcel. No new building lots will be created as a result of this subdivision. The receiving parcel contains an existing single family dwelling with onlot sewage disposal and the residual contains a single family dwelling with onlot sewage disposal. There were no zoning issues with the plan. The Planning Commission recommended approval of the subdivision with no substantial comments.

Motion Passed

Lou Radkowski made a motion to approve the Vollmer & Glatt/Walker subdivision application, seconded by Gary Anderson and all were in favor.

Valentine, Flower Valley Road

A subdivision application was submitted by Michael T. and Audrey L. Valentine for property located on Flower Valley Road. The subdivision proposes to divide an 80.066 acre parcel into three lots. Lot 1 is 17.461 acres and contains an existing single family dwelling with private water and sewage disposal. Lot 2 is 30.22 acres and is proposed to be used for agricultural or other non-building uses. The residual lot is 32.385 acres and is to be used for agricultural or other non-building uses. Non-building waivers have been submitted for all three lots. No new building lots are proposed as a result of this subdivision. There were no zoning issues with the plan. The Planning Commission recommended approval of the subdivision with no substantial comments.

Motion Passed

Sally Geyer made a motion to approve the Valentine subdivision application, seconded by Gary Anderson and all were in favor.

**TOPICS FOR DISCUSSION:**  
Industrial Park Signage

Manager Greene explained there was an ongoing discussion regarding the Elk County Industrial Park signage and it has been determined the Pennsylvania Tourism Signing Trust has control of the placement of directional signs. The program is known as TODS (Tourist Oriented Directional Signs). The City would file an application for signage and send in a \$75.00 non refundable deposit. Approved areas would be billed from \$650 to \$800 per site. Maintenance would be done by the Trust and the City would be responsible for the cost.

Council had previously directed the Manager to provide options for the issue of truck traffic on Adams Road due to lack of signage to the Industrial Park. Council discussed the matter and it was determined to not pursue the issue at this time.

Flood Alleviation Feasibility Study  
Proposal

Manager Greene explained he had requested a flood alleviation feasibility study proposal to explore the options for the flooding in the western side of the City and the Stackpole Complex along Elk Creek earlier this year.

A proposal was received from Gannett Fleming in the amount of \$12,975 to perform the study.

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- Motion Gary Anderson made a motion to apply for Act 13 funding from Elk County in the amount of \$10,000 and if the grant funds are received, then the City can go forward with the study, seconded by Lou Radkowski.
- Discussion Gregory Gebauer commented if the funds were not received then Council could revisit the proposal.
- Gary Anderson commented he believed this would be proper use of the Act 13 funding.
- Lou Radkowski commented this could be part of the Economic Development Plan and the funding would directly impact the businesses in the flooded area.
- Motion Passed All were in favor to apply for Act 13 funding in the amount of \$10,000 to be used toward the cost of the study.
- Sewer Billing Office (added to agenda) Nedward Jacob explained the Sewer billing office was closed for most of last week and he had received complaints from residents who were unhappy with the inability to pay their sewer bill on the first floor. He stated he believed the office should be staffed during the lunch hour and when vacation time is being taken.
- Council and the Manager discussed the matter and possible options for staffing the office.
- Holiday Parking (added to agenda) Sally Geyer requested the request for free Holiday Parking by the Chamber be revisited.
- Council discussed the procedure to revisit the matter and listened to comments from Art Colaprete, owner of Phillips Jewelers.
- Motion Sally Geyer made a motion to re-look at the Chamber request for free Holiday parking for discussion, seconded by Gregory Gebauer.
- Roll Call Vote Motion Denied On a roll call vote Sally Geyer, Gregory Gebauer and Mayor Howard voted in the positive and Gary Anderson, Bob Mohr, Lou Radkowski and Nedward Jacob voted in the negative. Motion Denied.
- CITIZEN COMMENTS ON NON-AGENDA TOPICS** Mike Brock invited and encouraged Council and all those interested in attending an upcoming documentary on Oil and Gas drilling.
- COUNCIL COMMENTS**  
Councilman Anderson  
South St. Marys Street Update Councilman Anderson commented a mailing was sent out to the property owners involved in the South St. Marys Street Beautification Project requesting permission to plant a tree on their property. So far the responses have been 9 to 1 in favor of the planting of a tree.
- Councilman Mohr  
House numbering Councilman Mohr commented a fireman questioned the house numbering procedure and the Manager responded there was an ordinance already in place requiring house numbers.

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Councilman Jacob  
Increase in Budget

Councilman Jacob commented the increase in the City budget was due to a one million PIB loan for paving.

East Branch Dam meeting

Councilman Jacob also commented on a public meeting regarding East Branch Dam and business opportunities.

Councilman Gebauer  
Newspaper misinformation

Councilman Gebauer commented the newspaper had stated incorrectly the amount of wages for a police officer. He was also concerned where the newspaper had obtained their information.

Additional agenda items

Councilman Gebauer also commented any additions to the agenda need to have a majority vote.

Council discussed the agenda process.

Mayor Howard  
Thank you

Mayor Howard thanked Deputy Mayor Gebauer for chairing the first budget workshop and Councilman Radkowski for his innovative idea to help the downtown businesses.

No Tax Increase

Mayor Howard also commented it doesn't appear that the City will have a tax increase and there has been no tax increase for the City four years in a row.

## ANNOUNCEMENTS

Mayor Howard made the following announcements:

- The next Council worksession will be held Monday, December 1, 2014 at 7:00 p.m. at City Hall.
- A Budget Workshop will be held on Monday, November 24, 2014 at 6:00 p.m. at City Hall.

## ADJOURNMENT

Lou Radkowski made a motion to adjourn the meeting. Meeting adjourned at 9.19 p.m.

  
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Recording Secretary

  
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Deputy Mayor