

JULY 20, 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, July 20, 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 July 16, 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, Acting Managers, Todd Caltagarone and Tim Brennan.

**VISITORS**

Visitors included: David Overstreet, Chris Trejchel, Bekki Titchner, Dave Stubber, Amy Cherry, Louie Prechtel, Colin Deppen, Richard Sadley, Ken Young, Mike Brock and Tim Pearson.

**APPROVAL OF MINUTES**

July 6, 2015  
Motion Passed

Sally Geyer made a motion to approve the minutes of July 6, 2015, seconded by Nedward Jacob and all were in favor.

**REPORT ON EXECUTIVE SESSION**

Mayor Howard stated an Executive Session was held on Monday, July 6, 2015 following the Council meeting regarding personnel matters. No decisions were made.

**PRESENTATION OF POLICE OFFICER AWARDS**

Chief of Police W. Todd Caltagarone acknowledged Officers Gregg McManus and Drew Lehman for distinguishing themselves by performing a heroic act that was above and beyond the call of duty. Chief Caltagarone detailed the events of a March 24<sup>th</sup>, 2015 incident where an elderly woman was rescued from her burning home by the Officers and a rapid progression of the fire was also prevented by their actions. Also in attendance were members from the Pennsylvania State Fire Marshall's Office, Elk County 911 Center, Crystal Fire Department, Emergency Management Offices and St. Marys Police Department.

Mayor Howard awarded each officer with a plaque and a citation and they received a standing ovation with a lengthy round of applause.

**SPECIAL PRESENTATION: Elk County Recycling Center Update**

Bekki Titchner, Elk County Recycling/Solid Waste Coordinator, provided information on the Elk County Recycling Center. She described a brief history of the center and how it has grown since 2010. The center was currently trying to obtain funding to build a new facility that would accommodate the volume of recycling received and make the processing of the items more efficient. She explained property has been purchased across the street from the current center and approximately \$500,000 of committed funds had been obtained and there is pending grant applications for approximately \$1.1 million for the proposed new facility. She believed the new center would enable them to provide more services to a larger area. She stated the recycling program does not use tax dollars and relies on donations, user fees and the sale of its commodities. She also provided the design and layout of the proposed new facility. Council thanked her for the presentation.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

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**CITIZEN COMMENTS ON  
AGENDA TOPICS**

There were no citizen comments on agenda topics.

**MAYOR'S REPORT**

Mayor Howard provided the following report:

- Attended three meetings regarding Penn Highlands Elk Hospital

**SOLICITOR'S REPORT**

Solicitor Wagner reported he had met with the Oil and Gas committee and discussed the first re-draft of the proposed ordinance. He also received comments from Seneca Resources and had forwarded those comments to Council members. He will present a synthesis of the discussion and comments to the Oil & Gas Committee and then to the Planning Commission.

**APPROVAL OF  
EXPENDITURES**  
Motion Passed

Gary Anderson made a motion to approve the Expenditures from June 15, 2015 until July 18, 2015, seconded by Bob Mohr and all were in favor.

**TREASURER'S REPORT**

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

June is the half-way mark for the City. Total revenue collected for the General Fund was \$4 million or 54 percent of budget. Last year at this time the City collected \$4.25 million or 70 percent of budget. Total Expenditures for the General Fund were at \$2.5 million or 33 percent of budget. Last Year Expenditures were at \$2.76 million or 45.5 percent of budget. Total Real Estate taxes collected was 92 percent of budget and 93 percent was collected for last year. Earned Income collected was 52 percent of budget and for last year was 53 percent of budget. For the EMS or Local Services tax the City collected 53 percent of budget and 53 percent in 2014. As of June 30, 2015 \$1 million of the General Funds Unrestricted fund balance was transferred to the Capital Reserve Fund. The market value of the pension plans had increased 2 percent since last year and in 2014 the plan increased 15.5 percent.

Nedward Jacob questioned if the difference in the revenue collected from last year to this year was because of the \$1 million dollar PIB loan and Acting Manager Tim Brennan responded yes.

Acting Manager Brennan stated the City was awaiting approval of the PIB loan to move forward with the tentative paving project. The City crew was currently working on base repair and stormwater drainage in anticipation of receiving the loan and the paving occurring in the fall.

**LEGISLATIVE ACTION:****Consider for adoption:**

Ordinance No. 293, re: approving and authorizing a 2015 Guaranty Agreement in support of the Municipal Authority refinance of bonds

Motion

An Ordinance was presented for publication approving and authorizing a 2015 Guaranty Agreement in support of the St. Marys Municipal Authority for the refinance of bonds.

Sally Geyer made a motion to adopt Ordinance No. 293, seconded by Nedward Jacob.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

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Discussion

Sally Geyer commented her name was spelled wrong on page six.

Gary Anderson stated he had concerns with the coupon rate still listed on the debt service schedule stating five percent. He understood the bidding process could substantially reduce the rate, but he requested the motion be structured that Council does not accept the ordinance unless it provides a cost savings. He further requested the motion to state the effective interest rate could not exceed between 2.4 percent.

Nedward Jacob questioned he thought the rate should be 2.3 percent and Gary Anderson responded 2.3 percent was the rate that was anticipated and 2.5 percent was a break even or less than break even number. He restated he preferred less than 2.4 percent.

Nedward Jacob stated hopefully they wouldn't issue the bond if it was above 2.3 percent which was the rate previously mentioned by the Bond Counsel.

Gary Anderson restated his request that the motion state the rate that the Bond Counsel had previously mentioned.

Motion Withdrawn

Sally Geyer withdrew her motion and Nedward Jacob withdrew his second. Motion withdrawn.

Motion

Nedward Jacob made a motion to adopt Ordinance No. 293 with the stipulation that the interest rate on the bond will not exceed 2.3 percent, seconded by Sally Geyer.

Discussion

Bob Mohr questioned what the total savings was and Nedward Jacob responded \$40,000.

Gary Anderson stated there was a 40,000 savings but almost a \$100,000 in fees. The Ordinance will remove the requirement to carry one year of payments in escrow, which will free up funds for Capital Expenditures of approximately \$500,000 and he believed that was a good thing, but if the ordinance was strictly an interest rate change he would not have been in favor of it.

Lou Radkowski stated it was his understanding the adoption of the ordinance moved the process along and Council would need to give final approval.

Solicitor Wagner stated the Bond Counsel assured him the refunding would not occur unless it provided savings.

Bob Mohr questioned how much of a savings and Solicitor Wagner responded the amount of savings would be at the discretion of the Sewer (Municipal) Authority, since they would be borrowing the funds. The City was only to provide a guarantee for the loan.

Gregory Gebauer commented the City guarantees the current loan and this was a refinance.

Solicitor Wagner agreed with Councilman Gebauer's comment.

## CITY OF SAINT MARYS REGULAR COUNCIL MEETING

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Roll call vote – Motion Passed

On a roll call vote all were in favor to adopt the ordinance with stipulations.

Subdivision Application: Louis Prechtl, Joseph Road

A subdivision application was presented from Louis Prechtl for property located on Joseph Road. The subdivision proposed to divide a 0.277 acre lot from a 1.052 acre parcel as a side lot addition to an adjoining parcel. Both the receiving parcel and the residual contain single family dwellings with onlot sewage disposal and public water. No new building lots will result from this subdivision. The Planning Commission recommended approval of the subdivision with the following comment: The transfer of the garage and shed to the adjacent property would result in the accessory structures being located in front of the principal structure. The garage was built in 1979 and the shed was built in 1953 and were in conformance with the current ordinance pre-subdivision. Also, the subdivision would result in a parcel having land located within two separate zoning districts, it is common practice that zoning district boundaries coincide with stream, street centerlines, railroad centerlines or property boundary lines. The zoning map should be revised to move the zoning district boundary to a property boundary line for continuity. The comment was forwarded to the City Solicitor and his response was as follows: Since there is no new development he did not see the zoning ordinance as an issue with approval of the subdivision. He also did not see the need to amend the zoning map to make it consistent with the relocated property line. He recommended approval without conditions.

Motion

Sally Geyer made a motion to approve the Louis Prechtl subdivision, seconded by Gary Anderson.

Question

Sally Geyer asked if the Planning Commission was okay with the application and Bob Mohr responded yes.

Roll Call Vote – Motion Passed

On a roll call vote all were in favor to approve the Louis Prechtl subdivision application.

Adding Topics for Discussion to agenda

Nedward Jacob requested to add the following Topics For Discussion to the agenda:

- B. Zito Media
- C. City Code Revisions

Nedward Jacob made a motion to add the above listed items, seconded by Gregory Gebauer and all were in favor.

**TOPICS FOR DISCUSSION:**  
Fireworks permits

Gregory Gebauer explained the City's Code Enforcement Office had forwarded correspondence from a resident questioning the City's fireworks permitting process.

Gregory Gebauer was concerned with the liability for the City.

According to current City Code the City Manager may issue a permit for the supervised public display of fireworks within the City by any organization or group of individuals.

The current permit also requires the Fire Chief to "sign - off" and Chief Kraus stated his concerns with his

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responsibilities and the liability for the City and the Fire Department.

Council, the Solicitor, Fire Chief Kraus, and the Acting Managers had a lengthy discussion regarding issuing permits to individuals and possible options to revise the current City Code, regulate only display fireworks or possibly eliminate the regulations.

It was determined to discuss the matter again during future discussions regarding City Code revisions.

Zito Media

Nedward Jacob explained the draft of the Zito Media agreement stated fiber optic services would be installed in City Hall within three months after the effective date of the contract. He requested instead that the fiber optics be installed before the contract is signed and Solicitor Wagner responded he would forward his request to Zito Media.

City Code Revisions

Nedward Jacob explained Matthew Pfeufer, City Code Enforcement Officer, had provided Council a list of suggested revisions to the City Code. It was determined to present portions of the list for discussion at future worksessions.

#### CITIZEN COMMENTS ON NON-AGENDA TOPICS

There were no citizen comments on non-agenda topics.

**COUNCIL COMMENTS**  
Councilman Radkowski  
Downtown Flowers

Councilman Radkowski commented the Downtown Heritage Preservation Group was seeking volunteers to help water the numerous downtown flowers and provided contact information.

Councilwoman Geyer

Sally Geyer thanked the St. Marys Rotary Club for the nice work around the clock.

Councilman Gebauer  
EMS

Councilman Gebauer expressed his gratitude to all of the local Emergency Services. He also stated the new Emergency Operations Center was utilized twice due to Fire and Police radio communication issues. Both instances were successful.

#### ANNOUNCEMENTS

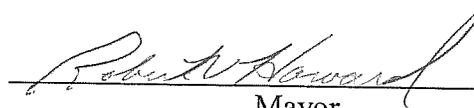
Mayor Howard made the following announcements:

- The next Council worksession will be held Monday, August 3, 2015 at 7:00 p.m. at City Hall.
- An Executive Session will be held following adjournment of this meeting regarding legal matters.

#### ADJOURNMENT

Gary Anderson made a motion to adjourn the meeting. Meeting adjourned at 8:25 p.m.

  
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Recording Secretary

  
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Mayor