

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

APRIL 21, 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, April 21, 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 April 17, 2014, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG
Troop 199 Eagle Scouts

The pledge was led by the following four newly awarded Eagle Scouts from Troop 199:

Dan Hinton, Alexander Nester, Andrew Gebauer and Matt Feldbauer.

Mayor Howard then presented them with a congratulatory letter from the City for their achievement.

ROLL CALL

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

VISITORS

Visitors included: Amy Cherry, Dan Hepner, Richard Sadley, Mike Brock, Adam Krug, David Reed, Katie Weidenboerner, Colin Deppen, Terry Detsch, Gail Shturtz, Kathy Herzing and Warren Stewart.

Tim Brennan, City Engineer, did not sign in.

APPROVAL OF MINUTES
April 7, 2014

Sally Geyer made a motion to approve the minutes of April 7, 2014, seconded by Nedward Jacob and all were in favor to approve the minutes, except Gregory Gebauer who abstained.

SPECIAL PRESENTATION:
Seneca Resources

Rob Boulware, David Reed and Adam Krug from Seneca Resources presented Council with the following information:

Company History

Details of Seismic Testing

Details of planned pads (wells) in St. Marys north of the St. Marys Sportsman Club

An outline of seismic projects from North Fork Lodge to Halton

A tentative schedule of outreach events to notify residents of increased truck traffic and drilling activity

A flyer with details and description of seismic testing was distributed to Council.

There was a brief question and answer period with Council, representatives from Seneca Resources and resident Mike Brock.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

MAYOR'S REPORT

Mayor Howard provided the following Mayor's report:

The City issued recognition Proclamations for Robert Grumley and Anna Kearney from St. Marys Area School

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District, Mary Agnes Marshall from the Elk County Catholic School System and the St. Marys Serviceman's Detail.

Mayor and Council have established an office to serve the Mayor and Council members and a voicemail has been set up in the City's phone system at 781-1718 Extension 237.

There was a brief discussion regarding the office and if necessary the matter will be placed on the next agenda.

MANAGER'S REPORT

March 19- Tim Brennan, Tina Gradizzi and the Manager attended a Management Seminar presented by Penn State-Dubois and hosted by the Community Education Council.

March 20- Manager attended a meeting at Representative Gabler's office here in St. Marys to discuss various issues pertaining to the City.

March 26- Staff and the Manager met with representatives from Creekside Investments, LLC about the Hotel project.

March 27- Manager attended the Northern Tier Community Action Corporation Board of Directors meeting held in Emporium.

March 31- Matt Pfeufer and Manager attended a Blueprint Communities Informational Webinar to learn more about a program sponsored by the PA Downtown Center.

April 8- Manager attended the North Central Enterprise Board of Directors meeting held in Ridgway.

SOLICITOR'S REPORT

Solicitor Wagner commented an Ordinance was on the agenda for consideration to publish.

APPROVAL OF EXPENDITURES
Motion

Sally Geyer made a motion to approve the Expenditures from March 14, 2014 until April 14, 2014, seconded by Gary Anderson.

Questions

Finance Director Carol Muhitch 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:

The City is at the end of the first quarter of 2014 and has collected 19.5 percent of Revenue and expensed 20.4 percent of the budget for the General Fund. Last year at this time the City received in Revenue 21.4 percent of budget for the General Fund and spent 20.3 percent of its budget. This year the City has collected 26.4 percent of the budgeted amount for Earned Income and 18.9 percent for Real Estate taxes. Last year the City collected 34 percent of budget for Earned Income and 20.4 percent for Real Estate taxes. In 2012 the City Collected in Earned Income 21 percent and 18 percent in Real Estate tax.

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The Sewage Treatment Fund collected 18.7 percent of Revenue budgeted and expensed 14.75 percent as of March 31, 2014. In 2013 budget Revenue was at 20 percent and Expenditures were 16.3 percent and for 2012 budgeted Revenue was 23 percent and Expenditures were 17.4 percent of budgeted amounts. As of March 31, 2014 Base Rate Sewer charges were 25 percent of budget, consumption charges were at 24.43 percent and sewer charges for I & I services were at 25 percent of budget.

Market values for the Pension Plans continue to increase.

In March the City received \$358,590 from the PA Treasury Department for the Liquid Fuel tax allocation. \$224,151.52 will be used for the two (2) street improvement loans and the balance will be used to reimburse the General Fund for salt and stone.

LEGISLATIVE ACTION:
Consider for publication: An Ordinance to restrict the hours of operation of transient retail business.

An Ordinance amending the St. Marys City Code to restrict the hours of operation of transient retail business was presented for publication.

Solicitor Wagner explained Council had discussed different variations of the proposed ordinance at their previous meeting.

The Ordinance presented at tonight's meeting had no further revisions. The Ordinance would limit transient business activity from 8:00 a.m. until 6:00 p.m. all year long.

Motion Passed

Gary Anderson made a motion to publish the Ordinance as presented, seconded by Nedward Jacob and all were in favor.

Award of bids:
Stone supply

Carol Muhitch stated on Monday April 14, 2014 the following bids were opened for the yearly supply of stone:

New Enterprise Stone, New Enterprise, PA

2a	\$19.10 (gray)
2rc	\$19.10 (brown)
#3	\$23.30
Anti-skid	\$22.50 (gray)
1b	\$22.75
2b	\$22.50
DSA	\$22.50

Hanson Aggregates, Montoursville, PA

2a	\$17.75
2rc	\$17.75
#3	\$21.40
Anti-skid	\$18.85
1b	\$22.25
2b	\$20.10
DSA	\$24.00

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G.O. Hawbaker, State College, PA

2a	\$22.71
2rc	\$22.71
#3	\$24.46
Anti-skid	\$26.71
1b	\$26.71
2b	\$24.46
DSA	\$25.21

Woodland Equipment, Woodland, PA

2a	\$15.86 (gray)
2rc	\$15.25 (brown)
#3	\$20.35
Anti-skid	\$20.30 (brown)
1b	\$20.45
2b	\$18.80
DSA	\$18.74

Bucktail Excavators, St. Marys, PA

2a	\$17.07 (gray)
2rc	\$17.07 (gray)
#3	\$20.97
Anti-skid	\$20.22
1b	\$20.72
2b	\$20.47
DSA	\$20.47

Steven Samick, Street Department Superintendent, recommended the bids be awarded as follows:

2a - Woodland Equipment - \$15.86
 2rc - Woodland Equipment - \$15.25
 #3 - Woodland Equipment - \$20.35
 Anti-skid – Hanson Aggregates - \$18.85
 1b - Woodland Equipment - \$20.45
 2b - Woodland Equipment - \$18.80
 DSA - Woodland Equipment - \$18.74

Motion Passed

Sally Geyer made a motion as recommended by the Street Superintendent, seconded by Gary Anderson and all were in favor.

Dust Control

Carol Muhitch stated the following bids were opened on Monday, April 14, 2014 for the yearly supply of dust control materials.

	E2/E3	MC70	MC30
Jefferson Paving, Brookville, PA	\$1.93	\$3.19	\$3.19
Midland Asphalt Materials, Bloomsburg, PA	\$2.25	\$3.65	\$3.65

Steven Samick, Street Department Superintendent, recommended the bids be awarded to Jefferson Paving of Brookville as overall low bidder.

E2/E3 - \$1.93/gal.
 MC70.MC30 - \$3.19/gal.

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Motion Passed

Gary Anderson made a motion to approve the bid as recommended by the Street Superintendent, seconded by Robert Mohr, and all were in favor.

Police Pension (excess contributions)

Mayor Howard stated the Police Pension was on the agenda regarding the reimbursement of excess contributions.

Solicitor Wagner explained when the consolidation of the former Township and Borough occurred the Police Departments also were consolidated and their two different pension plans. The Home Rule Charter Law prohibits adoption of a Home Rule Charter that reduces the rights any municipal employee had in its existing Pension Plan. Because the two plans were unequal there had to be adjustments made to bring them into balance. When that occurred inadvertently some of the police officers paid more contributions into the plan than were required. The overpayment was only recently discovered and the monies needed to be reimbursed to the affected officers. The total amount with interest is \$45,636.57.

Mayor Howard requested a motion to approve the reimbursement of the excess pension contributions made by the City Police Officers who were hired post January 1, 1995 which would include 6 percent interest compounded annually.

Motion

Gregory Gebauer made a motion to approve paying the Police Officers and also schedule a special worksession with proper City Officials and the auditing firm to answer any questions that Council may have, seconded by Gary Anderson.

Discussion

Sally Geyer stated the motion was more than was necessary to pay the officers.

Gregory Gebauer stated he wanted the officers to receive their money but also wanted a Special meeting to find out exactly what happened and why.

Motion Passed

All were in favor to approve the motion as stated.

Carol Muhitch stated the checks will be distributed tomorrow.

L.E.R.T.A. Application: Penn Pallet, 675 Fillmore Road

Carol Muhitch explained Penn Pallet has submitted an application to the City of St. Marys in regards to the Local Economic Revitalization Tax Assistance Act (LERTA) Program for an approximately 18,500 sq. ft. addition to an existing industrial building at 675 Fillmore Road. The projected cost of the improvement is \$801,138. The request has been approved by the other taxing bodies.

Motion Passed

Gary Anderson made a motion to approve the LERTA Application for Penn Pallet, seconded by Sally Geyer and all were in favor.

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Land Development Application:
Northern Hemisphere Inc., Delaum
Road

Carol Muhitch stated a Land Development Application was presented from Northern Hemisphere Inc., for property located on Delaum Road. The applicant is proposing to construct a 50' X 70' building to manufacture rifle targets. The City of St. Marys Zoning Hearing Board approved the use of the building at its public hearing on April 9, 2014. The rest of the development complies with the Zoning Ordinance. The Planning Commission had no comments on the application, but the Planning Commission minutes should be consulted for questions asked. Council received a copy of the minutes previous to tonight's meeting.

Council and Tim Brennan briefly discussed concerns with the sewage disposal.

Motion

Sally Geyer made a motion to approve the Northern Hemisphere Land Development Application, seconded by Robert Mohr.

Comments

Gary Anderson noted this was the third company in the City for this applicant and he believed he was good for St. Marys.

Sally Geyer commented she knew where the business was previously located on Spruce Street.

Motion Passed

All were in favor to approve the Land Development Application.

Appointment to Planning
Commission and Library Board

Name of Authority, Board or Commission and length of term	Number of Vacancies	Letters Received From:	Status of Recommendation
City Planning Commission (4 years)	1 Vacancy	Lisa Sorg	RECOMMENDED
St. Marys Public Library	1 Vacancy	Annie Reedy	RECOMMENDED

Motion Passed

Robert Mohr made a motion to approve the appointment of Lisa Sorg to the Planning Commission, seconded by Sally Geyer and all were in favor.

Motion Passed

Sally Geyer made a motion to appoint Annie Reedy to the St. Marys Public Library Board as the City's representative, seconded by Nedward Jacob and all were in favor.

Request for use of Parking Garage
for a motorcycle toy run

Carol Muhitch explained a request for use of the City's Parking Garage was received from Alan Solic for a motorcycle toy run on Saturday, September 20, 2104. The event will coincide with the Bavarian Fall Festival. The top deck of the garage will be used to park the motorcycles at the end of the toy run.

Motion

Nedward Jacob made a motion to approve the request, seconded by Sally Geyer.

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Question Robert Mohr questioned if the permit holders for the Parking Garage would be notified of the event and it was determined to check with the Manager.

Motion Passed All were in favor to approve the request.

TOPICS FOR DISCUSSION: There were no topics for discussion.

CITIZEN COMMENTS ON NON-AGENDA TOPICS There were no citizen comments on non-agenda topics.

COUNCIL COMMENTS
Councilman Gebauer
Commends Employees Gregory Gebauer commented he wanted to commend the employees at the Wastewater Treatment Plant and the Street Department for how they responded to recent events and how they mitigated and handled the situation that occurred at the Plant. He further commented one employee worked very long hours and he believed the employee should be compensated or receive comp time.

ANNOUNCEMENTS Mayor Howard made the following announcements:

- Spring Clean-Up Day will be held on Saturday, May 17, 2014 at the City Garage.
- The next Council worksession will be held Monday, May 5, 2014 at 7:00 p.m. at City Hall.

Arbor Day Proclamation Mayor Howard read and signed a Proclamation declaring April 25, 2014 as Arbor Day in the City of St. Marys.

The Proclamation was presented to Shade Tree Commission members Gail Shturtz and Kathy Herzing.

ADJOURNMENT Sally Geyer made a motion to adjourn the meeting. Meeting adjourned at 8:17 p.m.



Recording Secretary

Mayor