

FEBRUARY 19, 2018

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Deputy Mayor Gregory Gebauer on Monday, February 19, 2018 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 February 15, 2018, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG

Councilman Chris Pletcher recited a short prayer for the victims of a recent school mass shooting in Florida.

ROLL CALL

Present:, Deputy Mayor Gregory Gebauer, Bob Mohr, Chris Pletcher, Andrew Mohney, Margie Brown, Nedward Jacob, Manager Timothy Pearson, Solicitor Tom Wagner and Recording Secretary Lorrie Levenduski.

Mayor Louis Radkowski is representing the City and is scheduled to arrive after a local prayer service for the victims of the tragic events in Florida.

VISITORS

Visitors included: Mark Kozar, Cory Miller, Jim Wolf, Richard Sadley, Tina Gradizzi, Hope Weichman, Amy Cherry, Bob Mecca and Warren Stewart.

APPROVAL OF MINUTES

January 15, 2018
Motion Passed

Nedward Jacob made a motion to approve the minutes of January 15, 2018, seconded by Andrew Mohney. All were in favor, except Bob Mohr who abstained.

CITIZEN COMMENTS ON AGENDA TOPICS

Jim Wolf, applicant for the Planning Commission vacancy, explained his qualifications and philosophy for the position.

MAYOR'S REPORT

Deputy Mayor Gebauer stated there was not a Mayor's Report for tonight's meeting. He explained Mayor Radkowski intends to discuss this agenda item at a future meeting, since the item was added by a majority vote of Council, and in order for it to be removed, it will also require a majority vote of Council.

MANAGER'S REPORT

Manager Pearson reported the following:

- Reminder of a Council Workshop on March 5th to discuss Downtown Economic Development which will include downtown parking.
- Progress has been made on the "Downtown Park" and an update will be provided at the next regular Council meeting
- A Multimodal Study meeting will be held March 2nd to review the study results and an update would be provided at a future Council meeting.

Questions for the Manager

Deputy Mayor Gebauer requested if there were any questions from Council for the Manager on any topic they should be asked at this point in the agenda.

Bob Mohr questioned the status of the traffic study and the Manager responded the multimodal study meeting would provide that answer.

Bob Mohr requested the Manager to contact PennDOT with concerns he had with standing water along Route 255 near the car dealership that was freezing and creating a safety hazard.

Nedward Jacob requested the packet on information for the park be provided as soon as possible to Council. Manager Pearson explained the map on the park would include the footprint of the RDA's proposed stage/amphitheater for the

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needed permits at this time.

Bob Mohr requested an update on the Kaulmont Park expansion and the Manager responded he was in contact with the Soccer Association and would be working with the Recreation Board on the expansion plans. He would provide updates to Council as the project moves forward.

Gregory Gebauer stated the Redevelopment Authority has requested a meeting with Council to provide an update on their stage/amphitheater portion of the park project.

SOLICITOR'S REPORT

Solicitor Wagner had nothing to report.

TREASURER'S REPORT

Manager Pearson provided the following Treasurer's Report as of January 31, 2018:

Revenue for the General Fund was at 2 percent of budget and Expenditures were at 6.4 percent of budget for January. Last year at this time the City collected 1.8 percent of budget for revenue and expensed 6.3 percent of budget. Revenue will be low for the first few months of the year, as the Real Estate tax bills are not mailed out until March 1st of each year. Market value in Pension Plans have increased for January and also increased from January 31, 2017 by at least 13 percent. Earned Income collected for January was \$81,941 or 5.3 percent of budget and for January 2017 was \$73,643 or 4.9 percent of budget. Balances for January 1, 2018 were adjusted to actual with 2017 year end adjusting entries.

Nedward Jacob questioned which column on the report showed the year-end adjustments and the Manager responded January 1, 2018 column.

Chris Pletcher questioned when the City's audit would be performed and the Manager responded the audit was currently in process and the final report would be provided in May of this year.

Solicitor Wagner questioned where the Non-Uniformed Pension funds were listed and Manager Pearson responded under the M.E.R. line item.

Gregory Gebauer questioned why Council stopped approving bills (City's Expenditures Report) at Council meetings and the Reports were now provided to Council for review only. He believed under the Home Rule Charter or the Administrative Code that Council should approve the expenditures at a public meeting.

Solicitor Wagner responded he did not recall anything in the Home Rule Charter on that issue. If there was anything contained in the Code Book it would be contrary to the Home Rule Charter. He explained the way that our City government was set up by the people, the Manager is in charge of the administration of the government. Council approves the budget presented by the Manager and as long as the expenditures are within the approved budget there should be no need for Council to approve those expenditures. The matter was previously reviewed by the Solicitor at the request of the Manager and he provided the same opinion.

The Manager noted the report is generated after the bills are already paid and the checks are written.

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Gregory Gebauer requested the matter be "double-checked", since according to a former Councilman the expenditures were always approved by Council.

Solicitor Wagner explained during the time when he was not the Solicitor for the City he believed certain things occurred that were not properly reflected in the Home Rule Charter.

Nedward Jacob questioned if former Council were making a motion and approving the expenditures at a meeting and Gregory Gebauer responded he was not sure.

Solicitor Wagner explained even if that was done by a former Council it was basically unconstitutional because that power was vested in the Manager.

PUBLIC HEARING: Inter-Municipal transfer of restaurant liquor license for Nittany MinitMart
Open Hearing

Deputy Mayor Gregory Gebauer stated a public hearing for the Inter-Municipal transfer of a restaurant liquor license for Nittany MinitMart was being held tonight.

Hearing was opened at 7:23 p.m.

Comments

Mark Kozar, attorney from Flaherty & O'Hara, was attending on behalf of Nitty Oil Company and along with him was Cory Miller, representative for Nittany. He explained they were present tonight to request the approval of a Resolution permitting the inter-municipal transfer of a liquor license from outside the City. The license was a P.L.C.B. auction license that would be transferred to Nittany MinitMart located at 770 Washington Street.

Attorney Kozar provided an explanation of the changes to the liquor code and the procedures to transfer liquor licenses within Elk County and noted two other MinitMart stores that were already approved. He further explained the planned addition to the current building that would provide the required amount of seating to allow the sale of alcohol on the premises.

He stated the employees would be provided the proper training and all purchases would be performed with their 100 percent carding policy.

Nedward Jacob asked when they would sell alcohol, the location of the other establishments mentioned and the quantity of beer that could be purchased at one time.

Attorney Kozar responded, the hours of 7:00 a.m. until 1:45 a.m. and stated the locations as Osceola Mills and Sonestown in Muncy Valley and 192 fluid oz.'s or two six packs.

Chris Pletcher questioned if this was a first time liquor license for the location and Attorney Kozar confirmed this.

Attorney Kozar noted the P.L.C.B. decided to auction off the approximately 1200 revoked licenses to obtain revenue. The license that they obtained through the auction process originated in Johnsonburg.

Nedward Jacob questioned if they would just sell beer and not wine or liquor and Attorney Kozar responded due to it being a restaurant liquor license all could be sold for on premise consumption.

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Bob Mohr questioned the menu items and Cory Miller responded pizza, hoagies and quick sandwiches.

Chris Pletcher questioned the bar seating in the planned addition and Cory Miller responded the bar seating was up against a wall/window and would not have a bartender.

Attorney Kozar explained, across the state, convenience stores are transitioning to this same format.

Deputy Mayor Gebauer requested any public comment.

Public Comment

There was no public comment.

Hearing Closed

Deputy Mayor Gebauer closed the public hearing at 7:37 p.m.

LEGISLATIVE ACTION:**Consider for adoption:**

Resolution No. 18-04, re:
approving the transfer of
restaurant liquor license No. R-
13348 into the City of St. Marys
Motion

Resolution No. 18-04 was presented for adoption approving the transfer of restaurant liquor license No. R-13348 into the City of St. Marys.

Margie Brown made a motion to adopt Resolution No. 18-04, seconded by Bob Mohr.

Discussion

Nedward Jacob questioned if amount of liquor licenses within the City were active and inactive was known and the Manager and Solicitor responded they did not know those figures.

Attorney Kozar stated there were none inactive or in safekeeping.

Nedward Jacob questioned how the P.L.C.B. determined how many liquor licenses would be in an area and Attorney Kozar explained the history of the P.L.C.B.'s quota system used to determine that amount.

Solicitor Wagner clarified the rules of transfer into a municipality.

Bob Mohr stated the City previously transferred a license for Olympic Lanes.

Solicitor Wagner stated a transfer from Ridgway was also done for an establishment on Market Street.

Nedward Jacob stated he believed the one for Olympic Lanes transferred from Kersey.

Margie Brown wanted to clarify this license came from Johnsonburg and Attorney Kozar responded originally, yes.

Motion Passed

All were in favor to adopt Resolution No. 18-04.

Resolution No. 18-05, re:
Authorizing the establishment
of a fund and banking account
for the Keystone Communities
Façade Program
Motion

Resolution No. 18-05 was presented for adoption authorizing the establishment of a fund and banking account for the Keystone Communities Façade Program.

Nedward Jacob made a motion to adopt Resolution No. 18-05, seconded by Andrew Mohney.

Discussion

Bob Mohr questioned when the grant funding would be received and Manager Pearson responded it was a reimbursement grant.

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Nedward Jacob questioned if the account would be in the RDA'S name and Manager Pearson responded the account will be in the City's name and funds will be distributed to the applicants. The RDA will be responsible for the administration of the grant by accepting and/or approving applications.

Gregory Gebauer questioned if the grant required the applicants to spend the funds first and then get reimbursed and Tina Gradizzi responded, yes, the applicants will be required to put up their 50 percent to start their project and then when the final bill is submitted, the City will submit it to D.C.E.D. When the City is reimbursed the contractor is then paid. She further noted the account set up is a requirement contained in the guidelines of the program.

Nedward Jacob wanted to clarify the maximum amount and Tina Gradizzi responded this was a 50/50 match grant with a not to exceed \$5,000 amount.

Motion Passed

All were in favor to adopt Resolution No 18.05.

Resolution No. 18-06, re:
Authorizing the disposition of specified City public records

Resolution No. 18-06 was presented for adoption authorizing the disposition of specified City public records. A listing of records was attached to the Resolution.

Manager Pearson explained every one to two years the City disposes of allowable records.

Motion

Andrew Mohny made a motion to adopt Resolution. No 18-06, seconded by Nedward Jacob.

Discussion

Nedward Jacob questioned once the records are destroyed, were there any electronic records kept and Manager Pearson responded the only requirement is to keep a list of items destroyed which is attached to the Resolution.

Chris Pletcher questioned how the records were disposed of and Manager Pearson responded an outside contractor is obtained and they shred the records.

Motion Passed

All were in favor of adopting Resolution No. 18-06.

Resolution No. 18-07, re:
Authorizing the Elk County ACT 13 Funding Application

Resolution No. 18-07 was presented for adoption authorizing the Elk County ACT 13 Funding Application.

Manager Pearson explained the application was in the amount of \$8,165.00 for the purchase of six A.E.D. units, cabinets and supplies for a total project cost of \$11,165.00.

Tina Gradizzi explained the funding would provide two units for the Police Department, one for City Hall, one for the Wastewater Treatment Plant, one for the Street Garage and one for Parks and Recreation.

Motion

Andrew Mohny made a motion to adopt Resolution No. 18-07, seconded by Chris Pletcher.

Clarification

Margie Brown wanted to clarify the correct amount of \$8,165.00 and Manager Pearson confirmed the amount was correct.

Motion Passed

All were in favor to adopt Resolution No. 18-07.

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**Mayor Radkowski enters at
7:56 p.m.**

2014 CDBG Modification

2014 CDBG Modifications were presented for Council's consideration. The modifications were duly advertised and public hearings were held to receive any public comment.

Tina Gradizzi explained the City has \$7,020.50 remaining from the Mertz Avenue project. Ms. Gradizzi has been working with L.I.F.T. representatives to purchase 20 – Project Lifesaver Transmitter kits. The City would have to sign an agreement with L.I.F.T. to track each frequency number on the kit to make sure that it is being used by a St. Marys resident. The tracking of these devices will take place for 5 years. The City would purchase the kits, directly, through Project Lifesaver International and then hand them to the L.I.F.T. organization after the agreement between the City and L.I.F.T. was signed. Once the purchase is made and funds expended, the City will be able to close the 2014 CDBG contract.

Hope Weichman and Bob Mecca representatives of L.I.F.T explained the details of the program and the benefits of the wristband kits.

Motion Passed

Nedward Jacob made a motion to approve the 2014 CDBG modifications as presented, seconded by Lou Radkowski and all were in favor.

2015 CDBG Modification

2015 CDBG Modifications were presented for Council's consideration. The modifications were duly advertised and public hearings were held to receive any public comment.

Tina Gradizzi explained the City has \$225,090.00 remaining from the Mertz Avenue project. City staff has been working with Jim Wolf and Bob Roberts on plans for renovating the Scout House at Memorial Park. The request was to allocate 70% or more of the remaining funds toward handicap accessibility and ADA parking at the Scout House. This project would require sealed bids, which would be separate from the rest of the project.

In addition, a request for 30% or less of the funding to be utilized towards the Bell and Hose Tower Restoration project. 2016 and 2017 CDBG funding is already set aside for this project. By using 2015 funding the City will be able to complete this project 1 year ahead of the scheduled timeframe.

Nedward Jacob provided a brief history of the Bell and Hose Tower which was utilized by the local fire department and used as a fire alarm bell for many years. It was also used for many years as a reminder of the town curfew. It was now in need of repairs.

Tina Gradizzi clarified the tower was constructed in 1897.

Manager Pearson commented he believed the tower was a great asset for the City but a decision was needed to repair or remove the structure.

Tina Gradizzi confirmed the tower was within the City's historic district.

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Bob Mohr confirmed the bell in the tower is still used for the annual Veteran's Day ceremonies.

Gregory Gebauer questioned if the funding for the Scout House portion of the project would fully fund the renovations and Jim Wolf responded he believed the St. Marys Rotary Club has already raised \$20,000.00 towards the project. He provided details of the proposed renovations and former and future uses for the building. He noted the numerous people that are involved in the project.

Margie Brown wanted to clarify the distribution percentages and Tina Gradizzi stated the percentages as 70 percent toward the Scout House would be utilized for the ADA compliance and 30 percent towards the Bell and Hose Tower historic preservation renovations.

Motion Passed

Andrew Mohny made a motion to approve the 2015 CDBG modifications as presented, seconded by Nedward Jacob and all were in favor.

Solicitor Wagner stated for the record he had advised Councilman Nedward Jacob that he was permitted to vote on this matter even though he was a member of the fire department.

Gregory Gebauer questioned if that would apply to himself and Solicitor Wagner responded yes.

Appointment to the Planning Commission

NAME OF AUTHORITY, BOARD OR COMMISSION AND LENGTH OF TERM	NUMBER OF VACANCIES	TERM EXPIRING	LETTERS RECEIVED FROM	STATUS OF RECOMMENDATION:
Planning Commission (4 years)	1 Vacancy	Randy Geci	*Kate Yetzer Jim Wolf	*RECOMMENDED

Nominations

Bob Mohr nominated Kate Yetzer for appointment to the Planning Commission vacancy, as recommended, seconded by Lou Radkowski.

Andrew Mohny nominated Jim Wolf for appointment to the Planning Commission vacancy, seconded by Margie Brown.

Show of hands

On a show of hands Bob Mohr and Lou Radkowski voted for Kate Yetzer and Andrew Mohny, Nedward Jacob, Gregory Gebauer and Chris Pletcher voted for Jim Wolf.

Appointed

Jim Wolf was appointed to the Planning Commission by a vote of 5 to 2.

Update requested

Deputy Mayor Gregory Gebauer requested an update on the Novak Report at the next meeting and Manager Pearson responded he would provide that for Council.

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

Nedward Jacob requested a discussion on the parking along S. Michael St near the post office and Manager Pearson

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responded he had not received any negative input and recommended Council update the ordinance to reflect the removal of parking.

Mayor Radkowski commented the matter could be discussed at the next scheduled workshop during the downtown discussion.

Bob Mohr and Gregory Gebauer commented they both were in favor of the removal of the parking meters.

Mayor Radkowski announced a "Town Hall" on Grocery Store availability would be held on Wednesday February 21st from 6-8p.m. in the basement of the St. Marys Public Library. He noted children were welcome as the Children's Room would be available.

Mayor Radkowski commented the prayer event that he had attended was a youth driven event and he was proud of them.

Margie Brown commented the youth were an important part of this and thanked the Mayor for representing the City at the event.

Deputy Mayor Gebauer stated he wanted to comment on the tragic events in Florida. He wanted to let the youth know that City Council supports them. He encouraged all citizens to call their federal and state representatives and tell them to set politics aside and fix this problem to protect our youth.

ANNOUNCEMENTS

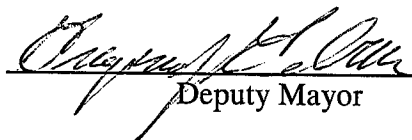
Deputy Mayor Gebauer made the following announcements:

- Council will hold a Workshop on Monday, March 5, 2018 at 7:00 p.m.
- Council's next regular meeting will be held on Monday, March 19, 2018, at 7:00 p.m. at City Hall.

ADJOURNMENT

Nedward Jacob made a motion to adjourn the meeting. Meeting adjourned at 8:36 p.m.


 Recording Secretary


 Deputy Mayor