

DECEMBER 4, 2017

**CALL TO ORDER**

A Council scheduled worksession of the City of Saint Marys was called to order by Mayor Robert Howard on Monday, December 4, 2017, 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 30, 2017, posted at City Hall, and published in the Daily Press.

**PLEDGE TO THE FLAG****ROLL CALL**

Present: Mayor Robert Howard, Lou Radkowski, Bob Mohr, Andrew Mohny, Nedward Jacob, Gregory Gebauer Gary Anderson, Manager Timothy Pearson and Solicitor Thomas Wagner.

**VISITORS**

Visitors included: Richard Sadley, James Slay, Carol Muhitch, Katie Weidenboerner, Greg Muhitch, Sally Geyer Amy Cherry, Margie Brown and Chris Pletcher.  
Art Colaprete did not sign in.

**APPROVAL OF MINUTES:**  
November 20, 2017  
Motion Passed

Andrew Mohny made a motion to approve the minutes of November 20, 2017, seconded by Gary Anderson and all were in favor.

**ADDITIONAL TOPICS FOR DISCUSSION**

There were no additional topics for discussion.

**CITIZEN COMMENTS ON AGENDA TOPICS**

Former Mayor and Councilwoman Sally Geyer expressed her concerns with the proposed tax increase and the large amount in the Capital Reserve Fund. She believed high taxes would keep people from moving into St. Marys.

**LEGISLATIVE ACTION:**  
2018 Wage Schedule

Manager Pearson explained the 2018 Wage Schedule for Management Employees was being presented for approval. There was a three percent wage increase across the board for all management positions except for the part time police officer which was increased and a different rate was added for the part time officer to encourage completion of the Field Officer Training Program.

After a brief discussion the following motion was made.

Motion to Table

Gary Anderson made a motion to table the 2018 Wage Schedule for management employees until the next meeting, seconded by Bob Mohr.

Gregory Gebauer requested an Executive Session to discuss the schedule.

Roll Call Vote- Motion to Table  
Passed

On a roll call vote all were in favor to table the item, except Lou Radkowski who opposed.

**TOPICS FOR DISCUSSION:**  
A resolution prohibiting the location of a Category 4 licensed facility (mini casino) within the City of St. Marys (No. 17-14)

Manager Pearson explained as requested by Council at the last meeting a resolution prohibiting the location of a Category 4 licensed facility (mini casino) within the City of St. Marys was on the agenda for discussion and a draft resolution was presented.

Solicitor Wagner explained he had prepared a resolution for Council's consideration to prohibit the facility "for now". According to the State Legislature, if Council chooses to prohibit it now they will be permitted to change that decision in the future. If Council does not prohibit it by December 31, 2017, they will not be permitted to change that decision in the future. In other words, it was a now or

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never proposition if Council wanted to prohibit the facility.

A certified copy of the resolution was required to be filed with the Pennsylvania Gaming Commission by the end of the year.

Nedward Jacob made a motion to adopt a resolution prohibiting the location of a Category 4 licensed facility (mini casino) within the City of St. Marys, seconded by Lou Radkowski.

Solicitor stated, for the record, the resolution would be considered Resolution No. 17-14.

Gary Anderson questioned if this resolution could only be withdrawn by another resolution and Solicitor Wagner responded, correct, it would require formal action by Council.

Motion

Gregory Gebauer stated he felt this matter was never formally discussed. He requested the pros and cons of a mini casino, however unlikely in the City, be discussed.

Clarification of Resolution No.  
17-14

Councilman Jacob and Radkowski believed due to lack of resident comments, time constraints and the inability to prohibit them after the first of the year, and no current zoning regulations for the facility, Council should vote on the resolution at tonight's meeting.

Discussion

Gregory Gebauer was concerned if the resolution was approved the City would be excluded for consideration in the future.

Lou Radkowski disagreed and believed they would still approach the City similar to other businesses have done in the past.

Solicitor Wagner commented the State legislature placed municipalities in this situation, giving inadequate time to responsibly address the issue. The matter was complex and not simply a matter of revenue versus expenses. He recommended Council take the more prudent action and prohibit the facility, so the City is not openly exposed to this type of development.

Lou Radkowski had concerns with maintenance and installation of a road, sanitary sewer and water needs, police and fire protection. The revenue for the City would be two percent of casino revenue up to 50 percent of the City's general fund which would have to cover those additional expenses generated because of the facility.

Nedward Jacob stated even if the City chooses to prohibit them, immediate changes to the City's Code would be necessary to regulate the placement of these types of facilities.

Gary Anderson stated he believed the only option at this time was the one being presented tonight and Bob Mohr agreed.

Solicitor Wagner explained in the absence of zoning regulations to currently address this issue, the casino potentially could be anywhere within the City. Legally,

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placement should be researched and reviewed by the Planning Commission.

Council expressed their concerns with the lack of public input on the matter.

Roll Call Vote- Motion Passed

On a roll call vote all were in favor to adopt Resolution No. 17-14, except Gregory Gebauer who opposed. Motion passed.

2018 City Budget

Manager Pearson explained as requested by a Council member and due to additional questions of Council, the 2018 City Budget was on the agenda for discussion. Council will be asked to vote on the budget at the December 18<sup>th</sup>, 2017 meeting.

Lou Radkowski wanted to clarify the concerns regarding the HOMES Grant and Manager Pearson confirmed Councilman Jacob had requested an informational session to explain the HOMES Grant procedure before the application was submitted, which may occur in January of 2018.

Lou Radkowski wanted Council's concerns to be heard and discussed before the December 18<sup>th</sup>, 2017 meeting. He stated for the record he had sent an email to Council questioning Council of any issues with the budget and he received no responses.

Nedward Jacob listed the following concerns:

He was not in favor of all of the Capital Improvement Projects.

He was not in favor of the replacement of a replacement vehicle for Code Enforcement.

Expense for a new full time Police Officer position, two new police cars and an upgrade to the police camera system.

He agreed with .3 tenths of millage for the Recreation Fund for maintenance, but not to use those funds to hire a part time park manager.

He suggested a Parks and Recreation Director position be discussed.

He was not in favor of the HOMES program because the program was only for three years (what would happen with the new employee hired to administer the program) and the reimbursement would not cover the salary and benefits for a new employee.

He did not approve of the 2010 GMC Service Truck, since it was only seven years old.

He did not approve of the Elk Humane Society allotment of \$5,000.00 He suggested they raise money by doing fundraising instead.

He did not agree with the Payroll Outsourcing additional expenses of \$18,000.00.

He did not know what the Compensation abatement (absences) amount of \$30,000.00 was for.

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He had numerous other issues, but stated they were very trivial.

Bob Mohr did not agree with the sidewalk program allotment of \$20,000 for residential sidewalks.

Gary Anderson explained if the projected street lighting fund savings of \$60,000.00 transferred to the Recreation Fund it would eliminate the proposed tax increase of .3 tenths in millage. He commented he made a motion for that transfer to happen at a budget workshop, but the motion failed for various reasons. He was against adding to the bureaucracy of the parks, but believed a part time park director may be beneficial.

Gary Anderson listed the following concerns:

He had concerns with adding a new full time officer due to the duties listed, but was okay with part time and would agree to up to a \$20 per hour wage.

He opposed the additional \$20,000 for the Airport.

He was okay with the Humane Society increase but believed other municipalities not currently contributing should be billed for services provided.

He opposed the Elk County Fair funds of \$1,000.

He opposed the sidewalk program for those not income eligible through the CDBG program.

Manager Pearson clarified the duties for the full time officer position and also noted Council had made a motion to not allow the Manager to hire the HOMES program administrator until the program was approved by Council.

Nedward Jacob clarified he opposed the HOMES program position even if the program was approved. He believed the City had enough staff to handle the program.

Gregory Gebauer clarified the Airport additional funds would only be used to have their annual audits performed and Bob Mohr agreed and noted the City would hold those funds for the Airport and pay for the audits.

Nedward Jacob confirmed this, but also explained an issue with the sewage pumps at the Airport.

Gregory Gebauer believed it was Council's responsibility to make sure the audits were completed and that is why he supported the additional funds for the Airport.

Gregory was concerned with the Capital Improvement Fund and suggested only one Police Car be purchased in 2018 and the other one in 2019. He also had the same suggestion for the Boulevard sidewalk project, half in 2018 and the other half in 2019.

Gregory Gebauer was in favor of the full time police officer, but would agree to part time as a compromise. He noted the Chief of Police is not considered a patrolling officer and Manager Pearson agreed.

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Bob Mohr agreed with filling in with part time officers.

Gregory Gebauer also noted before the consolidation of the City there were more officers employed by the Borough and Township. He explained because most incidents require two officers to respond in his role in Emergency Services an officer was requested, but not available due to responding to another call.

Gregory Gebauer noted the Recreation Fund had no increase since the City formed in 1994. He believed they needed a capital fund for grants and agreed with the part time park manager position. He noted he believed they needed a permanent additional funding stream. He suggested a transfer of less millage from the street lighting fund.

Nedward Jacob again restated reasons why he was not in favor of a part time park manager.

Lou Radkowski commented he looked at the part time manager position as a long term capital investment. He noted the Recreation Board members are volunteers. He believed the manager position could potentially increase funds.

He also noted last year Council agreed to an increase for the Recreation Fund but it was never implemented due to various reasons. He understood the Council's concerns with the spending of Capital funds and would consider reducing that amount. He was concerned with the shortage of \$600,000.00 of capital funds and described various options to build the reserve of funds.

He was open to consider the reduced transfer of millage from the street lighting fund to the Recreation Fund.

He noted the sidewalk program as presented would enable Code Enforcement to focus on their primary duties and not collecting money from those who did not qualify for the CDBG portion of the program.

Manager Pearson explained both portions of the sidewalk program was approved by Council, but it was noted the program could be revised by Council in the future.

Manager Pearson explained the fleet management system and the service logs for City vehicles. He noted City staff vehicles did not have a service log. He also noted since the outsourcing of payroll the payroll clerk position was now being trained in procurement.

Lou Radkowski understood the concerns with the Elk County Fair contribution opening the door for other non-profits.

Andrew Mohny was concerned with raising taxes for any reason. He believed the park needed direction, but was not in favor of a tax increase. He believed another avenue should be looked at. He described the difficulty of being a business owner and making decisions as a Councilman.

Manager Pearson stated he stood behind the budget as presented, but if Council wanted to revise the budget he

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suggested it be agreed upon so the City could move forward.

Gregory Gebauer restated his concerns with the shortfall in the Capital Reserve Fund. He clarified the request from the Recreation Board was \$30,000.00 for capital and \$30,000.00 for the part time position. He also stated his views on the Recreation Board and the City controlling board's funds.

Gary Anderson commented he believed the City already had the staff to perform the duties of a park manager and the maintenance.

Gregory Gebauer agreed, but noted it would take away from their normal duties.

Gary Anderson believed the Street Crew was larger than it used to be and Manager Pearson responded it was not larger, due to attrition and also warned that adding additional duties for the parks, grants or authorities would take away the ability to perform the necessary work already required of City staff.

Solicitor Wagner suggested Council consider the transfer of street lighting millage of .3 tenths to the Recreation Fund to eliminate the proposed tax increase and address any shortfalls in next year's budget.

Lou Radkowski noted he believed the shortfall in capital was the "elephant in the room" not the tax increase.

Lou Radkowski made a motion to transfer .3 tenths of millage from the street lighting fund to the Recreation Fund, seconded by Gary Anderson.

Gregory Gebauer confirmed this transfer would eliminate the proposed tax increase, but stated he was still concerned with the shortfall in the capital reserve fund.

Roll call vote – Motion Passed

On a roll call vote all were in favor to transfer the funds as stated, except Nedward Jacob and Bob Mohr who voted in the negative.

Council then discussed the shortfall in the capital reserve fund and its impact on future budgets.

**CITIZEN COMMENTS ON  
NON-AGENDA TOPICS**

Sally Geyer approached again and restated her concerns with a future tax increase.

Art Colaprete stated his concerns with the taxes and local businesses.

**COUNCIL COMMENTS**

Gregory Gebauer requested an Executive Session to discuss the Wage Schedule.

Bob Mohr commented he had received complaints on Jackson Road again.

Gary Anderson commented he believed that low taxes attract growth. He believed the City is in stronger fiscal shape than any other City in the State of Pennsylvania. He stated he believed road funding primarily comes from liquid fuel money and Carol Muhitch responded yes, for the big

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projects, but not the yearly projects. Councilman Anderson also believed the City was blessed with an industrial base, which provided increased earned income tax and oil and gas beneath the City which provided impact fees to the City.

Lou Radkowski believed a vibrant downtown was the most important for growth.

Nedward Jacob believed the problem with the downtown was because no one can compete with Walmart and would rather work in industry then start a small business in the downtown.

Manager Pearson stated the investment in the City was increasing according to building and construction permits and the increase in earned income.

Manager Pearson noted December 8<sup>th</sup> was the 175<sup>th</sup> anniversary of the founding of St. Marys. At 10:30 a.m. a flag raising ceremony will be held at City Hall for the newly adopted City flag.

Mayor Howard commented December 8<sup>th</sup> was a great day for the City and its residents. He also agreed with Councilman Anderson's comments regarding low taxes promoting growth.

ANNOUNCEMENTS

Mayor Howard made the following announcements:

- The next Council meeting will be Monday, December 18, 2017 at 7:00 p.m. at City Hall.

ADJOURNMENT

Nedward Jacob made a motion to adjourn the meeting. Meeting adjourned at 9:10 p.m.

  
Recording Secretary

  
Mayor