

**CITY OF SAINT MARYS COUNCIL
REGULAR MEETING**

OCTOBER 17, 2022

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Lyle Garner on Monday, October 17, 2022, at 7:00 p.m. Notice of this meeting was sent to Council on October 14, 2022, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG

ROLL CALL

Mayor Lyle Garner, Deputy Mayor Bob Roberts, Andrew Mohny, Shane Schneider, Jerome Sorg, Nedward Jacob, Sally Geyer, Manager Joseph Fleming, Solicitor Tom Wagner and Recording Secretary Lorrie Levenduski.

City Staff: Tina Gradizzi, Director of Community & Economic Development, Joe Kugler, Deputy Director of Community & Economic Development and Dani Schneider, Parks and Recreation Director, Carol Muhitch, Finance Director and Matthew Pfeufer, Zoning Officer.

VISITORS

Cheryl Ruffner, Don Ruffner, Lois Nedzinski, Tim Ruffner, Priscilla Phillips, Rick Stover, Gene Garner, Richard Sadley, and Richard Phillips.

**APPROVAL OF MINUTES
September 19, 2022 – Regular
Meeting
Motion Passed**

Deputy Mayor Bob Roberts made a motion to approve the September 19, 2022 minutes, seconded by Sally Geyer and all were in favor.

**SPECIAL PRESENTATION:
Board of Health**

Priscilla Phillip, President of the St. Marys Board of Health, explained a new initiative was started by the board. The project was described as "Info Central". They were currently collecting information from a variety of sources in order to assist those in the community looking for assistance with food, employment, housing, transportation and a variety of other needs. The first phase of the project was collecting all of the data, the second phase will be organizing it, and the third phase will be the distribution of the information through various sources, which would include media outlets, pamphlets and/or flyers and social media, in order to reach as many people as possible. She welcomed any information for these types of resources.

**SPECIAL PRESENTATION:
Central Credit Audit –Sewer
Delinquency Program**

Rick Stover from Central Credit Audit provided the following information:

Central Credit Audit works with numerous municipalities for the collection of delinquent utility bills and other unpaid debt. They typically collect 65% of the debt. They do not file liens or

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litigation against those they are collecting from. 100% of the debt collected is returned to the municipality. The 30% collection fee is retained by the company. He described the various collection procedures and notifications that would be utilized to collect the outstanding debt, including the possibility of reporting to the Credit Bureau, which could affect credit scores and lending status.

Manager Fleming confirmed the Sewer Billing Office currently sends out delinquent notices and water shut off notices for unpaid sewer bills, but still has approx. \$120,000 delinquent, of which, \$54,000 already have the water shut off.

Mr. Stover stated if Council was interested in retaining his company's service a Resolution and contract should be drafted for their consideration.

Motion

Sally Geyer made a motion to draft the necessary Resolution, seconded by Jerome Sorg.

Nedward Jacob asked if notices would still be sent from the City before they are turned over for collection and Manager Fleming responded yes, and they would be 6 months delinquent before being turned over.

Mr. Stover confirmed the letters sent out by the City will have the correct verbiage to first advise them of being turned over to a collection agency.

Solicitor Wagner clarified an agreement would need to be approved before a Resolution is presented, but this could be done at the same meeting.

Motion Passed

All were in favor of the motion.

**SPECIAL PRESENTATION:
Elk County Riders ATV**

Cheryl Ruffner from Elk County Riders ATV provided a very detailed history of the "Trail of Dreams Project" which began in 2018. She described the ongoing efforts to connect miles of trails in Elk County and surrounding areas. This would help promote the area and generate the economy with tourism. She reviewed the fundraisers held which had increased attendance each year. She reviewed the results of the feasibility study, described numerous grant funding that was applied for and noted the meetings with surrounding municipalities that she attended. She also explained the attendance of riders from a large portion of western PA and NY. She was requesting the cooperation of the City and staff to research the best access into the City limits.

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Motion

Jerome Sorg made a motion to open designated streets in St. Marys to ATV's and that the City Manager, Public Works Department and the Community and Economic Development Department assist in any way requested by the Elk County Riders to connect St. Marys to the existing trail system, seconded by Andrew Mohny.

Solicitor Wagner explained he believed this motion's intent was to approve cooperation with the Elk County Riders. The process for opening roads within the City for ATV's would be a require separate formal approval of Council.

Jerome Sorg stated he agreed the motion was for possible future designation of roadways.

Motion Passed

All were in favor of the motion.

**CITIZEN COMMENTS ON
AGENDA TOPICS**

There were no citizen comments on agenda topics.

MANAGER'S REPORT

Manager Fleming provided the following report:

- I attended the annual Pennsylvania Municipal League Conference earlier this month held in Pittsburgh. The main focus of the League was the initiative called Envision 2032, which included forward-thinking views for local communities across the commonwealth. St. Marys was featured under the Civic Engagement section of the of the plan with the way we have modernized our government.
- In pursuit of an agreement with the Social Security Administration, the second phase was completed on September 22nd which was the education portion of the agreement. All non-uniform and administrative staff attended the session. We are awaiting the final phase which is the one-to-one referendum vote on the matter.
- Negotiations continue with Uniform Bargaining Unit and making progress.
- Working with Windstream to get the new camera system up and running.
- The budget being presented to Council on October 31st will be balanced with no proposed tax increases.
- Jackson Road is open to thru traffic where the culvert replacement project was taking place.
- Leaf Collection Program information has been released.
- Continue to repair manholes within the city.

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- Roadwork continues on Depot Street between Fourth Street and Stackpole Street, they are moving along great. Mill and Fill will be taking place in the next couple of weeks, so a lot of road work before our winter season.
- Emergency services will again be out and about on Halloween canvassing our neighborhoods delivering treats for our kids. Another reminder to motorists for extra caution on Halloween night because of the trick or treaters.
- Finally, the mid-term election will be held on Tuesday November 8th, I urge everyone to get out and vote.

TREASURER'S REPORT

Manager Fleming provided the following September, 2022 Treasurer's Report:

Revenues collected for the General Fund was at 77% of budget. For 2021 it was 74%; for 2020 - 74% and revenue collections in 2019 was 77%. Expenditures were at 67% of budget and for last year it was at 74% and for 2020 it was at 66% and in 2019 expenditures compared to budget was 67%. Real Estate tax revenue is at 97% of budget and last year at this time it was at 98.5% and in 2020 it was 96%. Earned Income was at 52% of budget compared to last year of 54% of budget and 2020 was 50% and 2019 was 52%. Market value for the pension plans decreased this month and was less than they were at the end of September for 2021 and 2020. ACT 205 monies received for the pension plans totaled \$297,833.03 - Total MMO was \$299,270. - For the Fireman's Relief Association, they received from Act 205 - \$71,454.04

LEGISLATIVE ACTION

**Consider for adoption:
Ordinance No. 322- Amending
the Pension Plan for the benefit
of the City's full-time
employees other than police
officers.**

Motion Passed

Ordinance No. 322, amending the Pension Plan for the benefit of the City's full-time employees other than police officers was presented for adoption.

Deputy Mayor Bob Roberts made a motion to adopt Ordinance No. 322, seconded by Sally Geyer and all were in favor.

**Resolution No. 22-15 – DCNR
Leathers Playground
Rehabilitation Memorial Park
Project grant application**

Resolution No. 22-15 – DCNR Leathers Playground Rehabilitation Memorial Park Project grant application was presented for adoption.

Dani Schneider, Parks and Recreation Director explained as part of the information contained in the feasibility study, she was requesting approval of the resolution to submit an application for the replacement of Playland at Memorial Park.

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Motion

Sally Geyer made a motion to approve Resolution No. 22-15, seconded by Jerome Sorg.

Shane Schneider questioned if the next item on the agenda was part of the match for this grant, and Manager Fleming confirmed it was.

Motion Passed

All were in favor of the motion.

2019 CDBG Modifications

Tina Gradizzi, Director of Community and Economic Development presented the following request:

“The City of St. Marys Parks and Recreation Comprehensive Plan will be completed soon and one of the areas identified early on while working on the Plan was Memorial Park “Leathers” Playland structure. We have the opportunity to apply for a special round of funding through DCNR to upgrade this area and make it handicap accessible. The project cost is undetermined at this time, and we would like to utilize unexpended 2019 CDBG funding as part of the match to assist with the handicap accessible portion of the project.

We would like to request Council’s approval to modify funding from our Sewer Lateral Replacement Program (\$43,076) and Housing Rehabilitation Program (\$90,546.48) totaling \$133,622.48 towards the park project. These activities have been inactive since February 2022 due to staffing issues and the contract end date is May 21, 2024. The park project being proposed meets the LMI National Objective under Limited Clientele and our initial LMI percentage on our original application would not change.”

Motion Passed

Andrew Mohny made a motion to approve the 2019 CDBG modifications as presented, seconded by Nedward Jacob and all were in favor.

Protective Covenants for Airport Industrial Park

Matthew Pfeufer, Zoning Officer, explained he had received a zoning permit application for two structures located at 15 Aviation Way in the Airport Industrial Park. The applicant submitted the permit in response to a violation notice sent for erection of the structures without a permit. Restrictions contained in the Environmental Covenant for property located within the Airport Industrial Park under Clause III General Restrictions state specific criteria for improvements. City Council can approve or disapprove the proposed improvements or can confirm their approval for the enforcement of the

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restrictions contained in the Covenant.

Council discussed the Covenant and gave a consensus to follow and enforce the restrictions contained in it. They also requested the other code violations for the property be enforced.

No Motion Necessary

No motion was made or necessary for this agenda item.

Appointment to the Planning Commission

BOARD	NUMBER OF VACANCIES	TERMS EXPIRING	LETTERS RECEIVED FROM	RECOMMENDED
Planning Commission	1 Vacancy	To fill the unexpired term of Seth Higgins 01/01/2024	Jonathan Shuttleworth	JONATHAN SHUTTLEWORTH

Motion Passed

Sally Geyer made a motion to appoint Jonathan Shuttleworth as recommended, seconded by Shane Schneider and all were in favor.

**TOPICS FOR DISCUSSION:
Amending the Zoning Ordinance regarding digital currency mining, solar generation facility and vape shops**

Matthew Pfeufer, Zoning Officer explained, at the request of City Council, the Planning Commission discussed the proposed amendments to the zoning ordinance concerning digital currency mining and principle solar electricity generations uses. The Commission did not believe that they had enough information to determine whether renewable electricity usage should be a requirement of digital mining operations but did question whether the use should be a conditional use or a special exception. The Commission had no comments on the solar array legislation, except that the term "solar farm" should not be used in its description in preference to agricultural activities. The Commission also did not have any comments on the regulation of vape shops differently than tobacco stores. Now that the Planning Commission had reviewed the information it was being presented to Council for discussion. He noted there was currently no regulations regarding digital currency.

Solicitor Wagner explained he had drafted a memo to the Planning Commission and Mr. Pfeufer had also provided them with information, which was reviewed, but no direction was given to move forward. He recommended the City have some regulations and limitations regarding digital currency mining. He noted he would be attending a seminar on solar farms and would provide suggested regulations for those also. He was unsure of

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the issues with vape shops.

Mr. Pfeufer explained other municipalities do restrict the placement of vape shops.

Manager Fleming stated he had requested the review of vape shops to determine if setbacks from schools and playgrounds should be considered. He was also concerned with an excess amount in the City.

Mr. Pfeufer confirmed there currently are no regulations for vape shops or tobacco stores.

Sally Geyer noted the State regulates the age limit to enter these types of stores and believed that was enough regulations.

Solicitor Wagner noted typically he drafts the suggested revisions to the Zoning Ordinance for the Planning Commission to review.

It was determined digital currency mining and solar farms were separate issues.

Shane Schneider stated there are major environmental impacts of digital currency mining and believed this type of activity would continue to increase.

Solicitor Wagner explained he was concerned with the digital currency mining that utilizes natural gas as their power source.

The Solicitor will draft suggested revisions to the zoning ordinance regarding digital currency mining and solar farms.

**CITIZEN COMMENTS ON
NON-AGENDA TOPICS**

Gene Garner stated his concerns with the intersection of Maurus St. and N. Michael St.

Richard Phillips questioned if the City was aware of the digital currency mining that was occurring inside buildings in Emporium.

COUNCIL COMMENTS

Deputy Mayor Roberts gave a reminder of the Rotary Halloween Parade on October 30th.

Andrew Mohny gave a reminder of the Haunted Forest to be held at Benzinger Park this upcoming weekend.

Sally Geyer reminded everyone to vote and stated she would welcome Trick or Treaters at her house on the 31st.

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Jerome Sorg was reminded by a visitor of what a beautiful area we live in and he hoped we could keep the younger generation to stay or move back to this area.

Shane Schneider questioned when the railroad ties would be removed from the Diamond and Manager Fleming responded he was working on the removal by the Railroad.

Mayor Garner stated the Heritage Preservation Group had compiled a Downtown Historic Walking Tour brochure.

ANNOUNCEMENTS

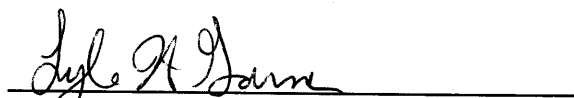
Mayor Garner made the following announcements:

- Budget Workshops will be held Thursday, November 10th, Tuesday, November 15th and, if needed, Thursday, November 17th in the Council Room at City Hall from 6:00 p.m. until 8:00 p.m.
- Council next regular meeting will be held on Monday, November 21, 2022 at 7:00 p.m.
- **Important Announcement:** The elevator at City Hall will not be operational for approx. the next 2 months. Council meetings will be broadcast on the City Channel - Zito Media 96.2 and live streamed on The River 98.9 website. Citizens are encouraged to provide comments on agenda topics prior to the meeting by emailing info@stmaryspa.gov or mailing to City Hall Attn: Public Comment, 11 LaFayette St. The Council meeting agendas can be found on the City's website www.stmaryspa.gov under the City Council tab. All public meetings of City's Authorities Boards and Commissions held here at City Hall will also have their agenda on the City's website under the Authorities, Boards and Commissions tab. Comments for their meetings can also be sent via email or regular mail.

ADJOURNMENT

Sally Geyer made a motion to adjourn the meeting, seconded by Shane Schneider. Meeting adjourned at 9:15 p.m.


Recording Secretary


Mayor