

**CITY OF SAINT MARYS COUNCIL
REGULAR MEETING**

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MARCH 20, 2023

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Lyle Garner on Monday, March 20, 2023, at 7:00 p.m. Notice of this meeting was sent to Council on March 16, 2023, posted at City Hall and published in the Daily Press.

PLEDGE TO THE FLAG

ROLL CALL

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

City Staff: Tina Gradizzi, Director of Community and Economic Development, Joe Kugler, Deputy Director of Community & Economic Development, and Matt Pfeufer, Zoning Officer.

VISITORS

Cly Hornung, Doris Bond, Dana Bond, Bill Kraus, Don Meyer, Aaron Meyer, Steve Straub, Sandy Buerk, Bob Buerk, Aaron Bleggi, Ryan Vollmer, Stephen Bagley, Joe Sarginger, Richard Sadley, Mike Kanan, Tim Sherry, and Art Colaprete.

**APPROVAL OF MINUTES
February 20, 2023 – Regular
Meeting
Motion Passed**

Sally Geyer made a motion to approve the February 20, 2023 minutes, seconded by Shane Schneider and all were in favor.

**REPORT ON EXECUTIVE
SESSION:**

An Executive Session was held immediately prior to tonight's meeting regarding personnel matters. No decisions were made.

**SPECAIL PRESENTATION:
Crystal Fire Department
Annual Report**

Bill Kraus, Fire Chief of the Crystal Fire Department provided the following information on the 2022 annual report:

- Responded to 320 incidents, an increase of 62 from the previous year
- Provided a breakdown of the incidents
- Responded to 64 mutual aid responses
- Received mutual aid 35 times
- Incidents by days of the week and an alarm time analysis
- Response time averages
- Building and content values, losses and savings
- Provided a listing of types of incidents
- Provided inspections and drills at local schools and health care facilities
- Provided fire prevention programs to local schools and scout troops

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Chief Kraus stated it was very unfortunate in 2022 two of the building fires resulted in fatal injuries. This takes its toll on everyone involved, the family, the emergency responders and the community members.

Chief Kraus stated out of the 78 members, the average age is 54.9 years old, containing 21 years olds to over 80 years old. He was confident of the ability of the membership to protect the City, but it is something to watch in the future.

Council thanked Chief Kraus and the department for their valued service.

**CITIZEN COMMENTS ON
AGENDA TOPICS**

There were no citizen comments on agenda topics.

MANAGER'S REPORT

The Manager provided the following report:

- “First off, I want to thank the firefighters for the service they provide for our community and surrounding areas. These volunteers rush toward dangers which we are running away from. It is not just fires they respond to. They respond to any hazard which is being requested of them and they perform their duties without pay taking time away from their families and other events to help protect us.
- I want to announce we are the recipient of \$410,000 which was awarded towards our Erie Ave/Washington St project. We will be submitting another application for more funding for this project subject to council’s approval later in the meeting.
- New AED’s have been placed into our police cruisers to replace the outdated ones to assist in response to medical calls.
- Our police department took part in an active shooter training which took place last Thursday, I want to thank the CERT team from the Pennsylvania State Police for provided the training.
- Since it is the first day of spring, the street sweeping schedule has been released, please check our usual media outlets for the schedule.
- Spring Clean Up Day is being scheduled for the latter

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part of April and once a definitive date is set, it will be released to the public. The process will be the same as last year with same location at Kaulmont Park, lower parking lot.

- The results of the Parks and Recreation Comprehensive Plan will be presented to Council next month. There is a lot of information which will be presented and provided to you in this report.
- The necessary paperwork has been approved for the demolition of 115 Wehler Road and will begin soon to make way for the new pedestrian pathway for Benzinger Park. We are placing a grant application with Greenways Block Grant to assist in the funding subject to Council's approval later in the meeting.
- Parks and Recreation's Great Egg Hunt is now going on, please check parks and recreation's Facebook page for more information."

TREASURER'S REPORT

Manager Fleming provided the following Treasurer's Report for February 2023:

Total revenue for the General Fund as of 2/28/23 was \$72,617 or 0.86% of budget. This does not include the EIT for the 4th Quarter 2022 -collected in Jan & Feb of 2023 of \$723,886. Collections in 2022 was \$511,734. Total expenditures for the General fund as of the end of February 2023, was \$940,533 or 11% of budget. Last year at this time we were at 12% of budget. We will not see revenue collections for 2023 until the end of March or first part of April for Real Estate Taxes and for the Earned income tax for the 1st quarter of 2023, will be received in May. Total revenue for the Sewage Treatment fund as of 2/28/23 is \$278,818 or 6.6% of budget and expenditures are \$256,173 or 6% of budget. In 2022, we collected \$200,351 more in sewer charges then budgeted. Pension plans decreased this month but as of the end of February shows an increase in market value for year to date. Balances as of 2/1/2023 were adjusted to actual with 2022-year end adjusting entries.

PUBLIC HEARING:

This public hearing is being held for the proposed amendment the City's Zoning Ordinance to rezone property off Bucktail Road.

Open Hearing

Mayor Garner opened the public hearing at 7:21 p.m.

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Public Comment

Ryan Vollmer commented he did not have an issue with the rezoning of the property. He explained he owns the property that contains a legal Right of Way for the applicant to access their property. If they intend to use the right of way over his property, PennDOT will require a Highway Occupancy permit to change the right of way from a minimum use driveway. He noted he had not yet been contacted by the applicant to discuss this issue. He provided a map to Council showing the location of his property and the right of way. He stated he believed the approval for the zoning change should be contingent upon an agreement with himself regarding the right of way.

Sandy Buerk stated she has a business on Trout Run Road that already has flooding issues. She was concerned with the runoff of stormwater from any development in that area. She was in favor of the rezoning of the property for development.

Mike Kanan from the Bucktail Plaza stated he had no problem with the project, but he wasn't sure if a right of way existed through his property.

Jason Auman stated he has a right of way through Ryan Vollmer's property and one through the plaza from the entrance at the red light. He stated they would not be using the right of way through the Vollmer property.

Ned Jacob confirmed with Mr. Auman that the right of way began at the red light all the way through the plaza.

Ned Jacob asked what type of housing was planned and Mr. Auman responded single units, no trailer parks or anything like that.

Ned Jacob asked if he considered townhouses or condos and Mr. Auman responded possibly in the future.

Ned Jacob asked how the road was going to be maintained and Mr. Auman responded he would maintain it, like they do now, the part that they use.

Mr. Auman confirmed the entrance would be at the red light into the plaza then turn right just past Sears.

Sally Geyer questioned if Mr. Auman could satisfy the concerns stated by the residents and Mr. Auman responded yes, the property sloped off to the west and that is where they would put a (stormwater) pond. He confirmed they would not be using the

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road that would affect Trout Run Rd.

Sally Geyer confirmed the location of area of possible development.

Mr. Auman noted the planning was in the early stages and due to costs they needed the lots to be smaller.

Solicitor Wagner commented the discussion was largely mixing apples and oranges. The application being presented it to rezone the property. If it is granted and if the applicant chooses to proceed with any type of development, they will need to meet the requirements of the City's subdivision ordinance, and for roads. He would also need a stormwater management plan. These things are off in the future. The real question is, is it a good planning decision to rezone the property to Residential Flexible?

Nedward Jacob questioned why the Planning Commission did not give Council a recommendation.

Mr. Auman listened to comments from an audience member. (inaudible)

Sally Geyer confirmed the approval of the re-zoning request was just the start of the process.

Don Meyer stated he owns property adjacent to the Auman Property. He questioned what the zoning change would allow and Matthew Pfeufer responded single family dwellings, duplexes, townhomes and multiple family dwellings.

Mr. Meyer stated his concerns with the development regarding out buildings on the property and the behavior of the people that might live there.

Solicitor Wagner confirmed there would be minimum lots sizes with setback requirements. This zoning change allows much smaller lot sizes compared to any other zoning district. Historically, this type of zoning was used primarily in the downtown of the City that allows for smaller lot sizes and buildings being closer together.

Art Colaprete asked if the housing would be like the subsidized housing in Ridgway or Johnsonburg and Mr. Auman responded they are just in the early stages of this project.

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Mr. Colaprete stated his concerns with public housing.

Manager Fleming confirmed that they City was not notified of any proposed housing project, only the request to rezone the property.

Andrew Mohny noted every year City Council approves a Fair Housing Notice for the City to not allow any discrimination for housing. He provided the household income amounts that would qualify for subsidized housing and be considered as low income. He noted these low income amounts are close to the City's and County's median income. He encouraged everyone to research these numbers and also consider that their neighbors could be considered low income. He also noted with certain funding there are requirements to monitor these types of housing projects for many years.

Jerome Sorg stated the residents can come back to Council to state their concerns at each phase of the project.

Andrew Mohny stated he appreciated everyone's input.

Aaron Meyer wanted to confirm they would have the opportunity to come back and state their concerns.

Solicitor Wagner stated different types of projects have different regulations. (for public notice)

It was suggested to attend the Planning Commission meeting and future Council meetings for agenda items concerning any proposed development.

Aaron Bleggi explained the process for obtaining funding for housing projects and noted any grant funding would need Council's approval. He reviewed some of the requirements of the City's current zoning districts. He also noted he supported Mr. Auman's request.

Doris Bond commented that she was in favor of the rezoning and agreed more senior friendly housing was needed. (patio homes)

It was clarified that the main concern stated was stormwater.

Hearing Closed

Mayor Garner closed the public hearing at 8:03 p.m.

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LEGISLATIVE ACTION

Consider for adoption:

Ordinance No. 338- Amending the City's Zoning Ordinance to rezone property off Bucktail Rd.

Motion Passed

Ordinance No. 338, amending the City's Zoning Ordinance to rezone property off Bucktail Rd. (AI Holdings, LLC Rezoning Request) was presented for adoption.

Sally Geyer made a motion to adopt Ordinance No. 338, seconded by Nedward Jacob and all were in favor.

Resolution No. 23-05 – Updated Resolution for COVID 19 ARPA – H2O PA Program

Motion Passed

Resolution No. 23-05 – Updated Resolution for COVID 19 ARPA – H2O PA Program was presented for adoption.

Tina Gradizzi explained Council approved a previous Resolution to submit a grant application for the Erie Avenue Sewer Replacement Project in the amount of \$1M with a matching funds requirement of \$1,486,194. The City received a request from DCED to increase the grant request and lower the matching amount. The new grant request amount will be \$1,699,525 with a matching funds requirement of \$849,635.

Andrew Mohnney made a motion to approve Resolution 23-05, seconded by Deputy Mayor Bob Roberts and all were in favor.

Resolution No. 23-06 – Greenways Block Grant – Benzinger Park Pedestrian Pathway Project

Motion Passed

Resolution No. 23-06 – Greenways Block Grant – Benzinger Park Pedestrian Pathway Project was presented for adoption.

Tina Gradizzi explained as part of the plan for the 115 Wehler Road Project the budget contained a pedestrian bridge. She was requesting approval to apply for a grant to assist with the project. The grant has a 50 percent match. The City has the funding for the project, but she would still like to apply for this funding in the amount of \$25,000.

Manager Fleming confirmed the project was funded through the City's ARPA funds, but they intend to apply for any available recreation project funding to enhance the project.

Shane Schneider made a motion to approve Resolution No. 23-06, seconded by Sally Geyer and all were in favor.

Approval of Whitetail Real Estate Development – HOME Investment Partnership Program Agreements

Whitetail Real Estate Development – HOME Investment Partnership Program Agreements were presented for approval.

Tina Gradizzi explained Council previously approved grant requests for HOME program funds. The first grant was in the

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amount of \$1.1M for the development of two senior housing duplexes in the Charles Street and George Street area. An executed contract was received and the second grant was in the amount of \$275,000 for a rehabilitation project for a senior housing project. As a requirement from the grants a cooperation agreement was needed. The two agreements needed were being presented tonight one for each project which contained monitoring requirements.

Motion Passed

Deputy Mayor Bob Roberts made a motion to approve both agreements, seconded by Andrew Mohny and all were in favor.

**TOPICS FOR DISCUSSION:
Sidewalk Improvement Plan**

Manager Fleming presented the following information on a City Sidewalk Improvement Plan and requested Council's review and comments.

The plan was a systematic revolving multi-year plan. Having an approved plan will allow for obtaining funds for larger projects. There are five phases, and the first phase begins in the Central Business Zoning District which contains the downtown area. Other areas outside of the phases will be reviewed and prioritized at the same time.

Areas where sidewalks require repair or replacement will need to be identified and the City needs to enforce its current Ordinance. Sidewalks provide better quality of life by providing a safe and walkable means of travel while providing the benefits of exercise and less vehicle travel.

A map of the following five phases of the plan was presented.

Phase 1- Central Business District

Phase 2 - Southwester section of the City

South St. Marys Street (west side) to Maurus Street (south side)
Residential Urban Zoning District

Phase 3 – Western section of the City

Maurus Street (north side) to North St. Marys Street (west side)
Residential Urban Zoning District

Phase 4 – Eastern Section of the City

North St. Marys Street (east side) to Bruxelles Street (north side)
Residential Urban and Industrial Zoning Districts

Phase 5 – Southeastern section of the City

Bruxelles Street (south side) to South St. Marys Street (east side)
Residential Urban and Residential Suburban Zoning Districts

Nedward Jacob questioned what type of funding would be sought and Manager Fleming responded funding for a whole street

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project or other available funding.

Jerome Sorg stated he was in favor of seeking funds to replace sidewalks.

Art Colaprete stated he wasn't in favor of spending City funds.

Motion Passed

Dana Bond commented on previous sidewalk improvements and issues with tree roots.

Sally Geyer made a motion to approve the 2023 Sidewalk Improvement Plan, seconded by Andrew Mohny and all were in favor.

**CITIZEN COMMENTS ON
NON-AGENDA TOPICS**

Tim Sherry commented on the closing of Playland and had some suggestions.

COUNCIL COMMENTS

Nedward Jacob stated the Airport restaurant was now open.

Jerome Sorg thanked the citizens for coming tonight and agreed the City needs housing.

Shane Schneider commented the City does have a housing issue and agreed we need to take step to rectify it.

Sally Geyer reminded everyone of the May 16th primary elections and an upcoming voter registration event.

Deputy Mayor Bob Roberts commented he had received complaints regarding contacting the City's local income tax collector Berkheimer. He also noted the time element was repaired on the Rotary Clock and the Rotary Club will be fixing the chimes and hour strike.

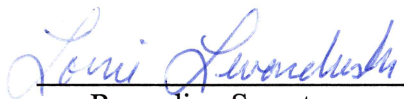
ANNOUNCEMENTS

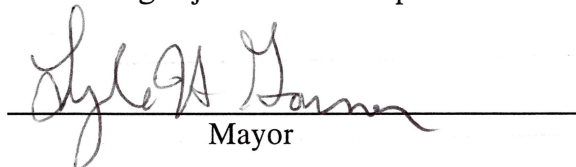
Mayor Garner made the following announcements:

- Council next regular meeting will be held on Monday, April 17, 2023 at 7:00 p.m.

ADJOURNMENT

Jerome Sorg made a motion to adjourn the meeting, seconded by Sally Geyer. Meeting adjourned at 8:40 p.m.


Recording Secretary


Mayor