

**CITY OF SAINT MARYS COUNCIL  
REGULAR MEETING**

**MAY 15, 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, May 15, 2023, at 7:00 p.m. Notice of this meeting was sent to Council on May 11, 2023, posted at City Hall and published in the Daily Press.

**PLEDGE TO THE FLAG**

The Pledge of Allegiance was led by Boy Scout Troop 199.

**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, Dani Schneider, Parks and Recreation Director, and Tom Nicklas, Chief of Police.

**VISITORS**

Mike Shaffer, Alexander Nester, Clythera Hornung, Chris Gausman, Evan Luckenbill, Brady Hornburg, Daen Hornburg, Dennis Viglione, Dakota Viglione, Brandon Hornburg, Adam Wagner, Bryce Gausman, Jason Wagner, Amy Cherry, Katelyn Plumstead, Colton Swede, Frank Kaul, Hannah Brem, Anthony Pistner, Lawrence Smith II, Stephen Bagley, Joe Sarginger, Kevin Upperman, Kevin Hoffman and Steve Luckenbill.

**APPROVAL OF MINUTES  
April 17, 2023 – Regular  
Meeting  
Motion Passed**

Sally Geyer made a motion to approve the April 17, 2023 minutes, seconded by Shane Schneider and all were in favor.

**SWEARING IN OF NEW  
POLICE OFFICER**

Chief Nicklas introduced Colton Swede to be sworn in as the City's new part-time Police Officer. He thanked the Police Civil Service for their work on creating a list of qualified candidates.

Mayor Garner administered the Oath of Office to Officer Swede.

**PROCLAMATION:  
MOTORCYCLE SAFETY  
AWARENESS MONTH**

Mayor Garner read and presented the Motorcycle Safety Awareness Proclamation to a member of the ABATE rider's club.

**SPECIAL PRESENTATION:  
Update on Boys and Girls Club  
Project**

Frank Kaul from the Boys and Girls Club and Hannah Brem from KTH Architects provided the following updates to the Boys and Girls Club Project:

The intent of the project is to make the building more accessible. While developing the plans for the renovations, it was determined to move the access point to outside of the existing

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building to provide a cost savings instead of in the basement. Renovations to the basement will still be done but will be utilizing current unused space for a secure and monitored space. They presented the revised construction budget with a breakdown of all the funding sources.

The City previously committed to providing \$600,000 of CDBG funding towards the Boys and Girls Club multi-year activity. The remaining commitment is \$148,796. With the updated budget they are requesting an additional \$40,487. The total request for remaining CDBG funds is \$189,283. The request will be presented later in the meeting tonight.

Sally Geyer questioned when they would begin the project and Mr. Kaul responded they want to get the project out for bid as soon as possible. He noted it was a six-month project.

Sally Geyer commended them for considering the safety of the children.

Shane Schneider was concerned with only one handicapped parking space at the rear of the building. Mr. Kaul stated they would look into that situation, but the space is limited in that area.

Council thanked them for the presentation.

**CITIZEN COMMENTS ON AGENDA TOPICS** There were no citizen comments on agenda topics.

**MANAGER'S REPORT**

Manager Fleming presented the following report:

- "I want to welcome Patrolman Colton Swede to the St. Marys Police Department.
- In attendance this evening is Scout Troop 199 and want to welcome you to City Hall.
- Clean-Up Day for the City was a success and want to thank the street department for a job well done.
- A new battery backup system was placed into the traffic light near the theater to ensure operations during any power disruptions.
- The Veterans' banners are going up and should be near completion.
- Road sweeping is continuing especially along the outskirts of the city. The Street Department is also performing ditching activities and cleaning out catch

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basins. Later this month, they will be doing crack sealing of the roadways and restoring our crosswalks.

- Still a couple more weeks of sewer camera work being performed especially on the north side of the city.
- Council will have the mill and fill contracts and public works projects before you at next month's meeting for your approval.
- I want to thank the Shiloh Presbyterian Church for holding the Police Memorial Service earlier today as we honor our law enforcement officers this week.
- I attended the Elk County Hazard Mitigation Plan Update meeting earlier today as the progress continues towards completion. The City will be able to adopt this plan as their own once the County's adoption process is complete.
- With the increase of activities at our local parks, I want to remind motorists to be aware of the extra pedestrian traffic near these areas. Please slowdown in the areas of our parks!
- The City would like to congratulate the Class of 2023 as they move forward in their next chapter of life and best wishes on their future plans.
- In case anyone isn't aware, tomorrow May 16<sup>th</sup> is Primary Tuesday which is mainly for local and county offices. Even though these election cycles are not the most popular, I believe they are the most important. These elections dictate local and county policies which directly affect residents. Please get out and vote tomorrow.
- Finally, City Hall will be closed Monday, May 29<sup>th</sup> in observance of Memorial Day. Looking forward to seeing everyone at the parade."

**TREASURER'S REPORT**

Manager Fleming provided the following Treasurer's Report for April 30, 2023:

Total revenue for the General Fund as of the end of April, 2023 was \$1.6M or 19% of budget. For 2022 it was \$1.3M and 16%; for 2021 it was \$1.3M and 18% and 2020 was \$1.1M and 15% of budget. Total expenditures as of the end of April, 2023 was \$2.47M and 29% of budget, for 2022 it was \$2.2M and 27%; for 2021 it was \$2M and 27% and for 2020 it was \$2M and 27% of budget. As of the end of April we have collected 25% of the current Real Estate Tax Revenue, for year 2022 it was 24% and for 2021 it was 26% and for 2020 current real estate tax collections was 19% of budget. Earned Income tax earned as of

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4/30/23 was \$290,557; for 2022 it was \$155,616; for 2021 it was \$187,940; and for 2020 earned income tax earned was \$132,022. As of May 10th, this year we collected \$3,660,806 in current real estate taxes and last year we collected \$3,639,921. Total outstanding current real estate taxes as of 5/10/2023 are 626,021 and as of 5/10/22 total outstanding current real estate taxes was \$602,845.

**LEGISLATIVE ACTION**  
**Consider for publication:**  
**An Ordinance to request a referendum to amend the City Charter pertaining to Council members term limits**  
**Motion**

An Ordinance to request a referendum to amend the City Charter pertaining to Council members term limits was presented for publication.

Sally Geyer made a motion to publish the ordinance, seconded by Nedward Jacob.

Sally Geyer commented that the language was very simply stated. "Shall Section 1003 of the St. Marys Home Rule Charter be amended by adding the following sentence: **"Any term of office filled by appointment or election under this Section shall not be included in calculating the term limits imposed by Sections 304(b) and 402 of this Charter."**

**Motion Passed**

All were in favor of the motion.

**Award of Bids:**  
**Road Oil**

Manager Fleming explained on Monday, April 24, 2023, bids were opened for road oils for 2023. It was recommended the bid be awarded to Midland Asphalt of Bloomsburg, PA as the lowest responsible bidder. Midland Asphalt was low on all oils except E4, which they tied for that bid amount. The following are the recommended bid results.

	E2/E3	MC70/ MC30	E4	RS-2PM or CRS-2PM
Midland Asphalt Materials	\$2.36	\$4.00	\$2.75	\$2.71

**Motion Passed**

Nedward Jacob made a motion to approve the bid as recommended, seconded by Jerome Sorg and all were in favor.

**Stone**

Manager Fleming explained on Monday, April 24, 2023 bids were opened for stone for 2023. It was recommended the bid be awarded to Bucktail Excavators of St. Marys as the lowest responsible bidder. All prices shown below are per ton.

- 2a limestone - \$22.18
- #3 limestone - \$27.43
- 1b limestone - \$27.43
- 2b limestone - \$26.58
- DSA - \$29.18

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Native Pit sandstone - \$17.50

**Motion Passed**

Deputy Mayor Bob Roberts made a motion to approve the bid as recommended, seconded by Andrew Mohney and all were in favor.

**2020 C.D.B.G. funding –  
Reallocation  
2019 C.D.B.G. funding -  
Reallocation**

Tina Gradizzi, Director of Community and Economic Development explained the following information regarding the reallocation of 2019 and 2020 CDBG Activities:

The City has the following activities remaining in their 2019 contract and the contract time frame is 05/22/2020 to 05/023/2024:

Sewer Later Replacement - \$43,076

Housing Rehabilitation - \$90,143.48

In an effort to spend the funds within a timely manner and close out the contract, it was proposed to remove the two activities and reallocate the funds towards a new 2019 activity, Sidewalk Replacement/Improvement Program total of \$133,222.48 within the 2019 CDBG contract.

In addition, the City has the following activities remaining in their 2020 contract and the contract time frame is 01/27/2020 to 04/12/2025:

Historical Society - \$142,280

Sidewalk Replacement Program - \$47,003

(The Historical Society Project was withdrawn by the applicant)

The City previously committed to providing \$600,000 of CDBG funding towards the Boys and Girls Club multi-year activity. The remaining commitment is \$148,796. The Boys and Girls Club presented City Council with an update to their plan as well as a copy of their current estimate and budget. They requested an additional \$40,487 due to project changes and the costs associated with these changes. It was proposed to remove the two 2020 CDBG activities as outlined above and reallocate the total for the two projects in the amount of \$189,283 to the Boys and Girls Club multi-year activity so they can move forward with completing their project a year ahead of schedule and therefore locking in current material prices.

Nedward Jacob questioned if approved they would not need any 2023 CDBG funds and Ms. Gradizzi confirmed this.

Ms. Gradizzi explained the Sidewalk Replacement Program funds would be used for the Sidewalk Improvement Program

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that was approved at the March 2023 Council meeting.

**Motion Passed**

Sally Geyer made a motion to approve the amount of \$189,283 to the Boys and Girls Club for the 2020 CDBG allocation, seconded by Jerome Sorg and all were in favor.

**Motion**

Andrew Mohny made a motion to approve the 2019 CDBG reallocation of \$133,222.48 in funds to the CDBG Sidewalk Improvement Project, seconded by Deputy Mayor Bob Roberts.

Nedward Jacob questioned if there were any Slum blight/Spot blight 2019 funds left and Ms. Gradizzi confirmed those funds were already expended for 2019 and 2020.

**Motion Passed**

All were in favor of the motion.

**Approval of ARPA funds for Pedestrian Pathway at Benzinger Park**

Manager Fleming requested the approval of ARPA funds for Pedestrian Pathway at Benzinger Park. A cost estimate was provided for the project of \$413,139.60. He requested the balance of the ARPA funds plus the interest to close out the ARPA fund balance. He confirmed this would cover the project costs. The house at 115 Wehler Road has been removed and the project is ready to move forward. He described the safety benefits of this new pedestrian pathway to Benzinger Park.

**Motion Passed**

Jerome Sorg made a motion to approve the ARPA funds for the Benzinger Park Pathway as requested above, seconded by Sally Geyer and all were in favor, except Andrew Mohny who opposed.

Deputy Mayor Bob Roberts clarified this will deplete the ARPA funds and Manager Fleming confirmed this.

**Appointment to Zoning Hearing Board – Alternate Position**

BOARD	NUMBER OF VACANCIES		LETTERS RECEIVED FROM	RECOMMENDED
Zoning Hearing Board (Alternate – 3-year term)	1	Alternate Position – Vacant -Term to expire 01/01/2025	Michael Gelsick	Michael Gelsick

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**Motion Passed**

Sally Geyer made a motion to appoint Michael Gelsick as recommended to the Zoning Hearing Board as the alternate, seconded by Andrew Mohny and all were in favor.

**Approval of Land Purchase by Elk County Cremation Center, LLC**

Manager Fleming explained an offer for Lot 2 in the Airport Industrial Park was received from Elk County Cremation Center, LLC. This lot was chosen due to its proximity to the gas line. There are some questions regarding the ability to sell the lot versus leasing it.

Nedward Jacob stated certain lots in the Industrial Park are designated as lease only. He believed Lot 2 was included in that designation and would require a release from the FAA.

Solicitor Wagner believed certain lots were required to be used for aviation activity. He stated the release would be part of the process before the transaction could take place.

Manager Fleming recommended the item be tabled until further information can be obtained.

**Motion to Table Passed**

Andrew Mohny made a motion to table the item, seconded by Nedward Jacob and all were in favor.

**TOPICS FOR DISCUSSION:**  
Amending the City Charter –  
Reducing the members of  
Council from seven to five

Sally Geyer stated she opposed reducing the number of Council members back to five. She believed that seven members provides a broader perspective. The upcoming election may produce up to three new members and they need to have experienced members on Council.

Nedward Jacob agreed with Sally Geyer. He stated he believed you get diversity with seven members and the experienced members along with the new members.

Deputy Mayor Bob Roberts also agreed to keep seven members since they are now straightening out the definition of an elected term.

Manager Fleming explained this was brought up for discussion since Council had expressed wanting a competitive election for open seats on Council and since it would also be an amendment to the Charter.

Solicitor Wagner stated he was the one who raised the question after the last meeting after hearing complaints about the ability to get candidates to run for Council. He clarified that originally the

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Charter had five members of Council but was amended to increase it to seven members. Council can wait and see how correcting the term limit issue affects the ability to have enough candidates to run for Council.

Sally Geyer noted there were enough candidates for the upcoming election.

Nedward Jacob noted only 3 or 4 opens seats come up at one time. Also, forming committees with only 5 members would be difficult.

Solicitor Wagner noted the original reason Council was set at five members was to discourage the creation of committees, since the issues didn't get resolved with committees.

Deputy Mayor Bob Roberts noted now committees are formed and handle the issues and then they are dissolved. He also explained the voters decided to increase to seven members by a substantial amount.

Solicitor Wagner explained there is no set amount of time that determines how long a Council member is required to "sit out" after serving two consecutive terms and be appointed and serve additional terms.

No consensus of Council was obtained to move forward with the matter at this time.

**CITIZEN COMMENTS ON  
NON-AGENDA TOPICS**

There were no citizen comments on non-agenda topics.

**COUNCIL COMMENTS**

All of Council encouraged everyone to vote, thanked the boy scouts for attending and congratulated the new police officer.

Sally Geyer noted she received a free registration prize for a PML conference.

Jerome Sorg encouraged the scouts to continue to be involved in the community.

Mayor Garner mentioned the upcoming drag races at the Airport.

**ANNOUNCEMENTS**

Mayor Garner made the following announcements:

- The next Council regular meeting will be held on Monday, June 19, 2023 at 7:00 p.m.



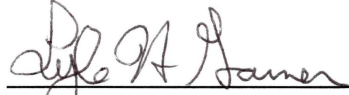
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**ADJOURNMENT**

Sally Geyer made a motion to adjourn the meeting, seconded by Nedward Jacob. Meeting adjourned at 8:10 p.m.

  
\_\_\_\_\_  
Recording Secretary

  
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Mayor