



CITY OF TITUSVILLE

City Council Meeting Proceedings – September 18, 2012

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CALL TO ORDER	The regular meeting of Titusville City Council was called to order by Mayor Smith in the Conference Room at the Titusville Redevelopment Authority at 6:00 p.m.
MOMENT OF SILENCE	Observed
PLEDGE OF ALLEGIANCE	Led by Mayor Smith
ROLL CALL	Mayor Esther Smith, Deputy Mayor Bill Adelman, Councilman Keith Bromley, Councilman Don Frazier and Councilman Jay Reese.
OTHERS PRESENT	City Manager Larry Manross, Solicitor Richard Winkler, Police Chief Gary Thomas, Tom Boyle represented the Titusville Herald.
NOTICE OF EXECUTIVE SESSIONS	Mayor Smith announced that Council held an executive session on September 4 th after the Work Session in regards to a Personnel matter.
ADOPTION OF AGENDA	It was <i>moved</i> by Mr. Frazier, <i>seconded</i> by Mr. Bromley, and <i>carried unanimously</i> to adopt the Agenda as prepared.
APPROVAL OF MINUTES	It was <i>moved</i> by Mr. Adelman, <i>seconded</i> by Mr. Frazier, and <i>carried unanimously</i> to accept the minutes of the regular meeting of August 21, 2012 as submitted and place on file.
PUBLIC PARTICIPATION PERTAINING TO AGENDA ITEMS	None
REPORTS	
City Manager's – Annual Report	<p>It was <i>moved</i> by Mr. Reese, <i>seconded</i> by Mrs. Smith, and <i>carried unanimously</i> to accept the Manger's Annual Report as submitted and place on file.</p> <p>City Manager Manross commented that the Manager's Annual Report is required by Third Class City Code to be given to the members of City Council and members of the public. He went on to say that the things that we have accomplished in this last year since he has been here are only possible by the cooperation of everyone here. He thanked Council for the support they have given him. In his opinion that is the only reason things get accomplished. The report was broken down in to different sections as follows:</p> <p>Mr. Reese commended Mr. Manross for doing a very good job and added since he has been on Council this is the best report he has seen: no just the presentation, but the body of what has actually been happening.</p> <p>Mayor Smith added that there is a whole lot more that is being done</p>

than what is on this report.

Mr. Bromley commented that he likes Mr. Manross' focus, follow-up, follow-through on things, priorities, and the fact that he is our City Manager.

Mr. Frazier commented very well done and thanked Mr. Manross.

Mr. Adelman thanked Mr. Manross for making Council's job somewhat easier serving in the capacity that he does and it is certainly appreciated.

Mayor Smith commented that Mr. Manross has done an outstanding job as the City's Manager. Outside of this report he is in contact with all of Council on a weekly basis whether it is answering Council's questions or informing Council of important things that are happening that they need to be aware of. She went on to say that she feels the relationship between Council and the current manager has been courteous and respectful and it's the first in a long time. She thanked Mr. Manross for all of the hard work he has done for the community and finished by saying it is greatly appreciated.

2013 Non-Uniform MMO

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to accept the 2013 Non-Uniform MMO as submitted and place on file.

Mr. Manross explained the reason the Non-Uniform is broken out separately is because Council has not yet voted on Act 44 for the other pensions.

Operational Reports

It was moved by Mr. Reese, seconded by Mr. Bromley, and carried unanimously to accept the Operational Reports; Building Inspector, Finance, Fire, Police, Public Works, and Treasurer for the month of August.2012 as submitted and to place on file.

Finance Director

Mr. Frazier confirmed with Mrs. Durstine the meetings with Alpha and Virtual Communications were in regards to the phone system upgrade. Mr. Frazier questioned if we were ok with the percentages on expenditures. Mr. Manross confirmed we are right where we need to be.

Fire Department

Mr. Frazier questioned the "hydrant maintenance and flow tests performed sporadically due to an inordinate amount of water main failures." Mr. Manross suggested Petroleum Street as an example. Mr. Reese added the assumption that there are areas that Firemen do not turn the hydrant on and let it flow because they are afraid they will have an issue. Chief Crotty was absent from the meeting due to his attendance at a training session.

Police Department

Mr. Frazier questioned the dollar amount for the fingerprinting scanner. Police Chief Thomas said \$3,500 per year for the dedicated

phone line that we would have to pay to the state. \$8,000 per year maintenance fees due to the sensitivity of the Live Scan. The Live Scan unit itself is about \$25,000. The \$12-13,000 annual commitment is one of the things holding us up. The force would need one unit to stay at the station. The FBI no longer accepts paper prints and it is only a matter of time before the state no longer accepts paper prints. This item is on the Chief's wish list. The County received a grant for one device for the County. The hope was to have one on either end of the County. Mr. Frazier extended his sympathy on the passing of Officer Kai. He himself made a difference and change in the community. He was also thankful for Officer Slagle's return to duty.

There was general discussion on the fees that offenders are charged and set by the County President Judge.

Mr. Bromley also commented he was also sorry to hear about the loss of the dog and the program and questioned what kind of monies are available as a result of not having the K-9 program available and can they be directed to the Live Scan. Chief Thomas requested the insurance money received for Kai be set aside until the City decides what it wants to do with the program. Chief went on to say he thinks the dog is a real asset to the City but the timing is not right, right now.

Public Works

Mr. Reese questioned the agility program with Cherrytree and trading mowing for millings. He sees 40 loads and questioned the value of a load of millings versus mowing. Mr. Reese also questioned the status of filling pothole. Mr. Manross commented pot holes continue to be filled and will be done with hot patch until the plant close.

Mr. Frazier questioned the status of the water leak at the corner of Washington and Spruce. Mr. Manross confirmed the leak is at a shutoff, the One-Call has been made, and the repair has been scheduled.

Treasurer's Office

Mr. Reese questioned the differing business license amounts on page two of the report. Mrs. Durstine confirmed the businesses overpaid and were refunded.

MINUTES OF BOARDS & COMMITTEES

It was moved by Mr. Frazier, seconded by Mr. Bromley, and carried unanimously to accept the minutes of the Housing Authority – 7/24, Redevelopment Authority – 7/2, and Safety Committee – 8/21.

Housing Authority

Mr. Reese commented that he had previously emailed Council exposing his thoughts on what the conversation was in regards to the no smoking area. He asked Council to give future thought to the conversation not being that polished in the minutes.

Mr. Frazier questioned the work that was done at Fleming Park and if it was reimbursable. Mr. Manross confirmed the Housing Authority

had not asked for anything.

BILL LISTINGS

It was moved by Mr. Frazier, seconded by Mr. Bromley, and carried unanimously to ratify the bill listing warrants dated 8/23 - \$20,526.59, 8/30 - \$72,274.21, 9/5 - \$501,121.40, 9/12 - \$110,444.32.

Warrant Dated – 8/23 - No questions

Warrant Dated – 8/30 – Mr. Reese commented that it did not hit him until Mr. Manross did his presentation, but the water contract with Pleasantville was renewed at the same rates but the City is paying a whole lot more for pumping and suggested the Manager keep that it the back of his mind when it comes back up.

Warrant Dated – 9/5 – Mr. Manross clarified paving and the sewer transfer we paid in this warrant.

Warrant Dated – 9/12 – No questions

Old Business

2nd Reading - Council Bill No. 12 of 2012 – Tobacco Free Parks

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to adopt Council Bill No. 12 of 2012 on 2nd Reading.

AN ORDINANCE OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, AMENDING ARTICLE 943, PARK AND RECREATION RULES AND REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF TITUSVILLE, TO ADD A NEW SECTION 943.04 (F)(12), PROHIBITING THE SMOKING OF TOBACCO PRODUCTS WITHIN CITY PARKS.

(12). Smoking any cigarette, cigar, pipe or other tobacco product anywhere within the grounds of Scheide Park, Roberts Grove, Burgess Park, Fleming Park, Longway Field, the Ed Meyer Recreation Complex, Knee-Hi Field, Pioneer Park, and O'Rourke Field. Any individual violating this provision shall be immediately ejected from said recreation, park or conservation area.

Solicitor Winkler clarified for Mr. Reese that this is for all parks.

Mr. Reese commended Mr. Bromley for bringing this up and putting it out there and appreciates his proactiveness.

Mr. Bromley reiterated what he had said since day one that this is about the little folks; it puts them first and he thinks that is class thing. He said to his knowledge there has been very little opposition to this, but he did have one person did come up to him and say she normally eats lunch in Scheide Park everyday and has a cigarette afterwards to which Mr. Bromley told her there is some good news;

100% of the other places you normally smoke are still available.

Mr. Frazier commented he is glad that Council made the revision because there have been baby carriages in Fleming Park so it's not unique to a certain group.

Mr. Reese commented he tabled this back in July because it wasn't really perfect and pushed to say we are doing it all parks or not and still hopes that something gets worked out in the Central Towers area so it is not a problem.

Mr. Bromley added he thinks that management at Central Towers has an obligation to create a smoking area down there for those folks and he hopes they do.

It was moved by Mr. Adelman, seconded by Mr. Frazier, to appoint Kevin Cartney to the Municipal Authority to a vacant unexpired term ending 1/1/2015, vote as follows:

Mr. Adelman, Mr. Bromley, Mrs. Smith, Mr. Frazier – Yes
Mr. Reese - No

Mr. Manross commented that last meeting Council voted to disband the Municipal Authority. As part of that procedure there are four openings on that Board and the best way to disband this is to elect four people to sit on the board and they vote to disband. There were four applicants and this is the procedure following through with the vote that was held last meeting.

It was moved by Mr. Frazier, seconded by Mr. Adelman, to appoint Pat Cartney to the Municipal Authority to a vacant unexpired term ending 1/1/2016, vote as follows:

Mr. Adelman, Mr. Bromley, Mrs. Smith, Mr. Frazier – Yes
Mr. Reese - No

Mr. Bromley asked the Solicitor to give his cut and explain what is going on.

Mr. Winkler stated that Council has indicated its wishes that the Municipal Authority take the action necessary which involves a resolution and a request to Council to file a certificate of dissolution with the state which would end its existence. The Authority has chosen not to do so. There are currently two vacancies that have existed for a matter of years on that board as well as two members whose terms have expired already so this would fill those seats and things would then proceed.

Mr. Bromley expressed his concern if Council has already voted to disband does Council have the authority to put people on the Board.

Appointment to the
Municipal Authority

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Municipal Authority

Solicitor Winkler confirmed absolutely. The Authority is not dissolved yet.

Mr. Reese commented he personally will support Council's decision going forward on this and he probably would not have voted to disband the Authority. The names that are going to come up going back to when Council put people on the Board to disband TIDA one gentleman that is going to come up took that role very seriously and looked in to it. Personally Council knows how he operates and when the email says that we need people to apply to disband it is just not his cup of tea. The list is some great people from the town and he is not voting personally against them. He is voting his thoughts on the whole thing; especially he is not going to vote Mr. Cartney down without telling him first.

Appointment to the Municipal Authority

It was moved by Mr. Adelman, seconded by Mr. Frazier, to appoint Jackie Cramer to the Municipal Authority to a term ending 1/1/2017, vote as follows:

Mr. Adelman, Mr. Bromley, Mrs. Smith, Mr. Frazier – Yes
Mr. Reese – No

Mr. Adelman requested clarification from the Solicitor on the two positions Ms. Cramer would be holding one with the Municipal Authority and one on the Planning Commission.

Solicitor Winkler confirmed there is no problem. Nobody on the Zoning Hearing Board can hold any other position and nobody who works for the City can be appointed to a Board.

Appointment to the Municipal Authority

It was moved by Mrs. Smith, seconded by Mr. Adelman, to appoint James Smith Jr. to the Municipal Authority to a term ending 1/1/2017, vote as follows:

Mr. Adelman, Mr. Bromley, Mrs. Smith, Mr. Frazier – Yes
Mr. Reese - No

Resolution No. 19 of 2012 – Act 44 – Police Pension

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to adopt Resolution No. 19 of 2012.

A RESOLUTION OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, ADOPTING THE REDUCED AMORTIZATION OPTION ACCORDING TO CHAPTER 6 OF ACT 205 OF 1984 (P.L. 1005, NO. 205), AS AMENDED BY ACT 44 OF 2009. IN CALCULATING THE 2013 MINIMUM MUNICIPAL OBLIGATION, THE CITY OF TITUSVILLE ELECTS TO UTILIZE THE 75% AMORTIZATION OPTION AS ALLOWED BY ACT 44 OF 2009 FOR THE CITY OF TITUSVILLE POLICE PENSION PLAN.

Resolution No. 20 of 2012 –
Act 44 – Fire Pension

It was moved by Mr. Frazier, seconded by Mr. Bromley, and carried unanimously to adopt Resolution No. 20 of 2012.

A RESOLUTION OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, ADOPTING THE REDUCED AMORTIZATION OPTION ACCORDING TO CHAPTER 6 OF ACT 205 OF 1984 (P.L. 1005, NO. 205), AS AMENDED BY ACT 44 OF 2009. IN CALCULATING THE 2013 MINIMUM MUNICIPAL OBLIGATION, THE CITY OF TITUSVILLE ELECTS TO UTILIZE THE 75% AMORTIZATION OPTION AS ALLOWED BY ACT 44 OF 2009 FOR THE CITY OF TITUSVILLE FIREMEN'S PENSION PLAN.

Mr. Manross read the numbers at the request of Mr. Reese. The normal amortization for Fire \$210,020, Act 44 \$163,419, for Police normal amortization \$385,213, Act 44 \$313,703.

Mr. Manross confirmed for Mr. Frazier that this is the City's last time to do this and in the future the City will be channeling more money to do this unless the State comes up with some other option.

Resolution No. 21 of 2012 –
Budget Transfer for Sludge
Landfill Fees

It was moved by Mr. Bromley, seconded by Mr. Frazier, and carried unanimously to adopt Resolution No. 21 of 2012.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, TO AUTHORIZE THE TRANSFER OF AN UNEXPENDED BALANCE OF AN APPROPRIATION ITEM.

Mr. Manross explained this transfer is needed due to the calculations at budget time of how much it would cost to dispose of the sludge. The estimate came in low on our part because the City paid a lot less due to the function of aeration system. When it was down we didn't have to haul any sludge and we based this figure on that calculation.

It was moved by Mr. Reese, seconded by Mr. Bromley, and carried unanimously to appoint Charlotte Hoban to the Housing Authority to a term ending 10/9/2017.

Mr. Reese commented he has only attended a couple of meetings but Ms. Hoban seemed engaged and he is glad to see she wants to continue.

Special Event Approval:
United Way Back to Football
September 21, 2012

It was moved by Mr. Frazier, seconded by Mr. Bromley, and carried unanimously to approve the Special Event: United Way Back to Football Friday, September 21, 2012.

CITY OF TITUSVILLE

City Council Meeting Proceedings – September 18, 2012

Special Event Approval:
Oil Creek 100 Trail Runs
October 12-14, 2012

It was moved by Mr. Frazier, seconded by Mr. Adelman, and carried unanimously to approve the Special Event: Oil Creek 100 Trail Runs October 12-14, 2012.

Mr. Reese confirmed there are no changes from last year.

Mr. Frazier pointed out a typo on the Insurance Cert. Mrs. Durstine commented that a new cert is to be sent with a date that is not stale so she will make sure the numbers are correct on the new one.

WWTP Payment Requisition #7

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to approve Payment Requisition #7 for the WWTP Phase III Upgrade Project in the amount of \$15,485.00.

PUBLIC PARTICIPATION

Tom Kopper – 323 E Main Street

Spoke in regards to concerns he had voiced in 2010-2011 in regards to the erosion problem on Petroleum Street and if there were any plans to take care of it.

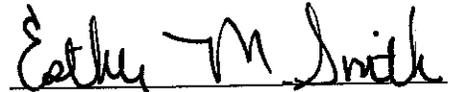
**COMMENTS BY
MAYOR/MANAGER/COUNCIL**

Mr. Bromley questioned the status of the letter to the Commissioners in regards to the \$15,000 for the airport. He will provide specifics to Mr. Manross so a letter can be generated. He also spoke in regards to the improved visibility of the crosswalk at Main and Kerr and thanked the guys for working on it. He thanked Council for their support on Young Lungs at Play. On the ribbon cutting ceremony downstairs at TRA and the dignitaries that were here; it emphasizes the partnership the City has with TRA. The Secretary of the DCED spoke and said something that hit home to him on blight. He said that if blight is in an area it can be contagious, but if you have success in an area that can be contagious as well. All three commissioners were also here.

ADJOURNMENT

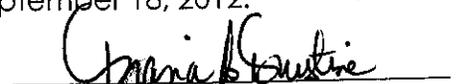
It was moved by Mr. Frazier, seconded by Mr. Adelman and carried unanimously to adjourn the meeting at 7:25 p.m. to an executive session.

APPROVED BY COUNCIL


Mayor Esther M. Smith

THIS 16th DAY OF October, 2012

I hereby certify the foregoing to be a true and correct copy of the minutes of the Council Meeting of September 18, 2012.


Diana A. Durstine
Recording Secretary