



# CITY OF TITUSVILLE

## City Council Meeting Proceedings – August 21, 2012

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| <b>CALL TO ORDER</b>                                   | The regular meeting of Titusville City Council was called to order by Mayor Smith in the Conference Room at the Titusville Redevelopment Authority at 5:40 p.m. after a short update from Jack Rae from Gannett Fleming in regards to the Wastewater Treatment Plant Phase III project design progress and permitting.   |
| <b>INVOCATION</b>                                      | Given by Councilman Bill Adelman   |
| <b>PLEDGE OF ALLEGIANCE</b>                            | Led by Mayor Smith   |
| <b>ROLL CALL</b>                                       | Mayor Esther Smith, Deputy Mayor Bill Adelman, Councilman Keith Bromley, and Councilman Don Frazier. Councilman Jay Reese was absent.  |
| <b>OTHERS PRESENT</b>                                  | Solicitor Richard Winkler, Fire Chief Joe Crotty, Police Chief Gary Thomas, Josh Sterling represented the Titusville Herald.   |
| <b>NOTICE OF EXECUTIVE SESSIONS</b>                    | Mayor Smith announced that Council held an executive session on August 7 <sup>th</sup> after the Work Session in regards to Personnel.   |
| <b>ADOPTION OF AGENDA</b>                              | 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.  |
| <b>APPROVAL OF MINUTES</b>                             | It was <i>moved</i> by Mr. Bromley, <i>seconded</i> by Mr. Adelman, and <i>carried unanimously</i> to accept the minutes of the regular meeting of July 17, 2012 and special meeting of August 14, 2012 as submitted and place on file.  |
| <b>PUBLIC PARTICIPATION PERTAINING TO AGENDA ITEMS</b> | Chris Fiely – 316 N Brown St<br><br>Spoke in regards to the termination of the Municipal Authority. He said he does not understand a lot of this stuff and he does not know where the confusion lies. There have been public and private meetings about the Municipal Authority. He read an email from the City Manager dated August 15 <sup>th</sup> sent to the three members of the Authority and did not understand how the termination ended up on the agenda under old business. He mentioned an article in the paper from Friday, August 17 <sup>th</sup> where the Mayor was quoted as saying "frivolously spent dollars" and said he is not sure exactly what the Mayor's intent was by that comment. He stated the City spends a lot more frivolously than the Municipal Authority ever has. He went on to say they have to have an audit and a solicitor just like the City. The expenses are all within the guidelines. As a business owner he received a certified letter from the City saying there was a report he needed to turn in by the end of January and questioned why the City is wasting money on a certified letter when a phone call could be made? He said this is Titusville, a really small community where he can see the City Manager's window from out of his establishment. He has no idea why Council wants to do away with three volunteers at this point. In the City Manager's email it says financing authority and that is one of the things they can do – it |

could be helping out with the process Mr. Rae spoke about too. He announced that the other members could not come to the meeting to speak to Council and he will be leaving after the vote on 11B for another appointment.

**REPORTS**

It was moved by Mr. Adelman, 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 July 2012 as submitted and to place on file.

Fire Department

Mr. Adelman thanked Chief Crotty for adding the man hours to the report and requested he add the time spent on additional man hours.

Public Works Department

Mr. Frazier commented that the department has been busy.

Mr. Adelman questioned the barricades being supplied to Monroe & Walnut when that event had not been approved and questioned if the party had gone on anyway. Mayor Smith asked Mrs. Durstine to get back to Council.

**MINUTES OF BOARDS & COMMITTEES**

It was moved by Mr. Bromley, seconded by Mr. Frazier, and carried unanimously to accept the minutes of the Housing Authority - 5/22, Planning Commission - 7/12, Redevelopment Authority - 6/4, and Safety Committee - 7/31.

**BILL LISTINGS**

It was moved by Mr. Frazier, seconded by Mr. Bromley, and carried unanimously to ratify the bill listing warrants dated 7/18 - \$21,717.41, 7/26 - \$9,109.41, 8/1 - \$52,037.23, 8/16 - \$49,556.08.

Warrant Dated – 7/18 – Mr. Adelman questioned Parks & Rec. Mrs. Durstine clarified 01450 Parks & Rec would be fuel expenses.

Warrant Dated – 7/26 – No questions

Warrant Dated – 8/1 – No questions

Warrant Dated – 8/16 – No questions

**Old Business**

1<sup>st</sup> Reading - Council Bill No. 12 of 2012 – Tobacco Free Parks

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to introduce Council Bill No. 12 of 2012 on 1<sup>st</sup> 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, Longeway 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.

*Dissolution of the Titusville Municipal Authority*

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to direct the Titusville Municipal Authority to take all necessary actions to dissolve itself within thirty days of August 21<sup>st</sup>, to direct the Titusville Municipal Authority to transfer to the City of Titusville immediately all of the Municipal Authority's remaining assets, and to direct the Municipal Authority to execute, acknowledge and deliver all necessary documents to convey its assets to the City of Titusville for the purposes of carrying out the motion.

Mr. Bromley thanked Chris Fiely for coming and speaking on behalf of this issue. He appreciates his input as well as others. He went on to say that the first thing he wants to do is take the names out of it because there is no question in his mind that the three individuals are great folk and it has nothing to do whatsoever with them personally. He repeated what he said at the last work session that he has heard a fair amount of discussion on this in the six month period he has sat on Council. He has heard testimony from different entities on this subject and given advice from our attorney. Not once has anyone told him that there is a need for the Municipal Authority. He thinks need is the bottom line of what this is all about. He is the first guy when this came up six months ago to say lets not be quick to do away with it, maybe we can repurpose it. To this day he has not heard anyone come forward with an idea on what we can do with the Municipal Authority. In his opinion, the City and this administration are in a position to do everything and have been doing everything the Municipal Authority is capable of doing. Mr. Bromley asked Chris and the others not to take this personal. He wrapped up by saying it's been around a long time but if there is no need why do we have it.

Mayor Smith stated she appreciates what Mr. Bromley said and stands behind it.

*Mayor's Appointment to the Redevelopment Authority*

Mayor Smith announced her appointment of Jill Neely to the Redevelopment Authority.

*Ratification of Mayor's Appointment to the Redevelopment Authority*

It was moved by Mr. Frazier, seconded by Mr. Bromley, and carried unanimously to ratify the Mayor's appointment of Jill Neely to the Redevelopment Authority to a term expiring 7/1/2017.

Mayor Smith stated she appreciates Jill stepping up and submitting her application.

Appointment to the Airport Authority

It was moved by Mr. Bromley, seconded by Mr. Frazier, and carried unanimously to appoint Jim Elliott to the Airport Authority to an unexpired term ending 1/1/2014.

Mr. Bromley said he thinks that Council will agree with him that they have gone out of their way to tell the people that step up to these boards that Council appreciates their volunteerism.

Appointment to the Board of Health

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to appoint Tammy Champion to the Board of Health to an unexpired term ending 1/1/2017.

Appointment to the Planning Commission

It was moved by Mr. Frazier, seconded by Mr. Bromley, and carried unanimously to appoint Jackie Cramer to the Planning Commission to an unexpired term ending 1/1/2016.

Special Event Ratification: 2012 MDA Boot Day

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to ratify the 2012 MDA Boot Day.

Mayor Smith congratulated the City Firefighter's for raising \$3,700 for MDA during this event.

Resolution No. 18 of 2012 – Budget Amendment for Shale Committee Contribution

It was moved by Mr. Adelman, seconded by Mr. Frazier, and carried unanimously to adopt Resolution No. 18 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. Frazier asked to make sure that Council is updated on their efforts of the program. He is interested in seeing the fruits of their labor.

WWTP Payment Requisition #6

It was moved by Mr. Frazier, seconded by Mr. Adelman, and carried unanimously to approve Payment Requisition #6 for the WWTP Phase III Upgrade Project in the amount of \$15,419.00.

**PUBLIC PARTICIPATION**

Tom Kopper – 323 E Main Street

He had spoken to Chief Crotty and Chief Thomas in regards to the Fire at the house by the Senior Center. The fire was started by a homeowner burning trash. He wanted to state his appreciation for fast movement of the fire service.

**COMMENTS BY MAYOR/COUNCIL**

Mr. Bromley updated the public on the Parks & Rec comprehensive plan. Council sat down last Tuesday and will be working together very closely with the school board on coming up with a better way to do things and will keep the public updated on that process. The Airport has been asking the Crawford County Commissioners for

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some help with the Airport. The current Board of Commissioners recognized the request and agreed to help with a check to the Airport in the amount of \$15,000. This will help pay for some of the grant matching things that we do at the Titusville Airport. Everything that has been done has been done by way of volunteers and they have worked hard at it. He requested a letter sent from the City to the Commissioners thanking them. Mr. Frazier added the Airport is a very valuable asset.

Mr. Bromley also thanked Council for supporting the \$2,000 contribution for Shale. He went on to say being a business man he knows if you want to make some money you have got to spend some money. The contribution will help to develop a website for the community to highlight what we are doing for Drake Shale; how it impacts us, what does it do to my well and all that kind of stuff. They hope to have a wide variety of issues addressed through social media.

Mayor Smith reminded everyone in attendance that start next month the meeting time changes back to 6:00.

Mr. Nebel confirmed for Mr. Frazier that the brush along Brown St was on this list of the areas to be cut by Cherrytree's side-cutter that is in town this week.

Mr. Bromley thanked Mr. Nebel for his hard work on paving the streets this year. Mr. Nebel announced a possibility with the City and PennDot in regards to our agility agreement for next budget year. PennDot has their own crew and machine that does mill-in-place. Under agility he is looking at three times in pavement what the City receives in revenue for taking care of the streets downtown for PennDot.

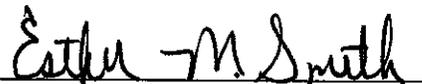
### ADJOURNMENT

It was moved by Mr. Frazier, seconded by Mr. Adelman and carried unanimously to adjourn the meeting at 6:20 p.m.

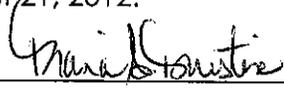
Mayor Smith thanked everyone for coming and invited them to come back again.

APPROVED BY COUNCIL

THIS 18<sup>th</sup> DAY OF September 2012

  
Mayor Esther M. Smith

I hereby certify the foregoing to be a true and correct copy of the minutes of the Council Meeting of August 21, 2012.

  
Diana A. Durstine  
Recording Secretary