



CITY OF TITUSVILLE

City Council Meeting Proceedings – April 17, 2012

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 6:03 p.m.
INVOCATION	Given by Jackie Wagner
PLEDGE OF ALLEGIANCE	Led by Mayor Smith
ROLL CALL	Mayor Esther Smith, Deputy Mayor Bill Adelman, Councilman Keith Bromley, Councilman Pat Cartney and Councilman Jay Reese were present.
OTHERS PRESENT	City Manager Larry Manross, Solicitor Richard Winkler, Police Chief Thomas, Fire Chief Crotty, and Mary Hill from the Titusville Herald.
NOTICE OF EXECUTIVE SESSIONS	Mayor Smith announced that Council held an executive session on personnel on April 3 rd .
ADOPTION OF AGENDA	It was <i>moved</i> by Mr. Bromley, <i>seconded</i> by Mr. Adelman, and <i>carried unanimously</i> to adopt the Agenda as prepared.
APPROVAL OF MINUTES	It was <i>moved</i> by Mr. Bromley, <i>seconded</i> by Mr. Cartney, and <i>carried unanimously</i> to accept the minutes of the regular meeting of March 20, 2012 as submitted and place on file. Mayor Smith questioned the City Manager in regards to Mr. Reese requesting minutes from the January pension board meeting at the last Council meeting and not receiving them yet. Mr. Manross stated he spoke to her again and she said she is extremely busy because it is tax season and she is a CPA and she will get them to Council as soon as tax season was over.
PUBLIC PARTICIPATION PERTAINING TO AGENDA ITEMS	None
REPORTS	It was <i>moved</i> by Mr. Cartney, <i>seconded</i> by Mr. Bromley, and <i>carried unanimously</i> to accept the Operational Reports; Building Inspector, Finance, Fire, Police, Public Works, and Treasurer for the month of March 2012 and the 1 st Quarter 2012 Finance report as submitted and place on file.
<i>Building Inspector</i>	Mr. Reese requested more detail on the Zoning Investigations. Mrs. Smith would like to know about the demolition permits.
<i>Finance Director</i>	Mr. Reese pointed out that the inter-fund transfers being done all at once makes the great graphs worthless for the whole year because March is going to have a big spike in it and wanted to know if we could use cash flow to do monthly transfers to smooth that and then

we would not have bill listings that are \$500,000. Mr. Manross stated we did the transfers so we could pay the MMOs earlier so if there is any interest to be made it could be made on the pension funds. Mr. Reese stated the interest is on the pension funds they do not put it in the market. As he understands it they just put it in their interest bearing checking. He went on to say it doesn't matter either way. It is the way things have always been done and that's great, but we haven't had the great graphs all along either so it is something to consider. Mr. Reese stated the MMO goes into checking and pays retirees for the first 9 months and then in September they will draw off the reserves to pay the remainder of the year. Mr. Adelman agreed and would like to see it spread out. Mrs. Durstine offered to separate out the MMO in the graphs and went on to say that the upfront benefit of it is the money is transferred so now we know where we are at for the rest of the year.

Fire Department

Mr. Adelman pointed out that he still does not see the number of man hours in the report. Chief Crotty said he needs more time to dissect the new Fire program.

Police Department

Mayor Smith asked Chief Thomas how things were working out down on the East End. Chief Thomas said since we got the arrows on Petroleum street that designate which way what lane goes it has been going pretty good. The first morning after the barricade came down everybody wanted to go North on Petroleum and turn left, but they got it straightened out.

Public Works Department

Mr. Manross confirmed for Mr. Reese that there were no major issues with the NDPES permit Compliance Report and that we are working to bring everything up to speed.

Treasurer

Mr. Manross confirmed for Mayor Smith that the report includes the same information every month. Mayor Smith was questioning the Real Estate Delinquent Tax amount.

MINUTES OF BOARDS & COMMITTEES

It was *moved* by Mr. Reese, *seconded* by Mr. Bromley, and *carried unanimously* to accept the minutes of the Housing Authority 3/20, Redevelopment Authority 3/5, and Safety Committee 3/27.

Mr. Reese pointed out the Fire Chief has been trained to train Crossing Guards and questioned if the crossing guards have been trained. Chief Crotty said there are no new crossing guards and no new training has been done. One is a 20 year employee and the other has been at it probably about 4 years. He did address PPE.

BILL LISTINGS

It was *moved* by Mr. Bromley, *seconded* by Mr. Adelman, and *carried unanimously* to ratify the bill listing warrants dated 3/21/12 - \$535,473.00, 3/29/12 - \$524,081.91, & 4/12/12 - \$112,580.89.

Mayor Smith informed the public that these are sent to Council by the Manager via email and Council has the opportunity to review and to look them over and ask any questions.

Warrant Dated - 3/21/12 - \$535,473.00 – Mr. Reese commented this is where we transferred \$400,000 inter-fund for pensions.

Warrant Dated - 3/29/12 - \$524,081.91 – Mr. Reese pointed out Pension payments on page 10. The Firemen's Pension Fund is \$162,191 and the Police Pension Fund is \$309,409 that is what the City has to pay toward unfunded pensions and will be part of the public's tax bill.

Warrant Dated 4/12/12 - \$112,580.89 - None

Old Business

Resolution No. 11 of 2012 -
Sale of Property – A-7-8-11
Smock Boulevard

It was moved by Mr. Cartney, seconded by Mr. Bromley, and carried unanimously to adopt Resolution No. 11 of 2012.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, SETTING AN ESTIMATED VALUE OF CITY REAL ESTATE AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE TRANSFER OF CITY PROPERTY.

59A-7-8-11 – Record Book 369, Page 245 \$500.00

Mr. Manross described the property as being at the foot of Smock Boulevard; the piece that the Derrick sits on and the hillside directly across the street. Mr. Manross also confirmed for Mr. Reese that a 99 year lease agreement would be drawn up for the property with the Derrick on it.

Resolution No. 12 of 2012 -
Sale of Property – Tract D
Sunset Heights

It was moved by Mr. Cartney, seconded by Mr. Bromley, and carried unanimously to adopt Resolution No. 12 of 2012.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, SETTING AN ESTIMATED VALUE OF CITY REAL ESTATE AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE TRANSFER OF CITY PROPERTY.

"Tract D" – Record Book 435, Page 727 \$ 6,000

Mr. Manross described the property as being next to the Sunset Heights Playground, approximately 6.5 acres with a minimum bid of \$6,000. This does not include the park itself, it would be as you are facing the park on the left side and is a wooded area behind the properties there.

2011 City Audit Approval

It was moved by Mr. Bromley, seconded by Mr. Reese, and carried unanimously to approve the 2011 City audit as submitted.

2012 Mowing Memorandum

It was moved by Mr. Reese, seconded by Mr. Bromley, and carried unanimously to authorize the proper officials to enter in to a Memorandum of Understanding concerning the use of seasonal employees by the City for summer mowing and other summer maintenance tasks.

Mr. Manross explained this memorandum is between the City and the Union allowing the City to hire up to three part-time people to mow grass for the period April 1st to October 31st.

Mr. Reese commented that he appreciates the Union working with the City on this. Mayor Smith added she certainly does as well.

Hunt Marcellus Water Supply Agreement

Agenda item skipped. Further detail was provided at the end of the meeting.

Payment Authorization: Actuarial Services Invoice

It was moved by Mr. Bromley, seconded by Mr. Reese, and carried unanimously to approve payment to Conrad Siegel Actuaries in the amount of \$4,370 for services rendered April 2010 through November 2011.

Mr. Reese commented that a lot of times at pension board meetings you will here annual requests for proposals and some of the hourly rates are shocking and to keep that in mind moving forward.

Payment Authorization: TASD Contribution for Leisure Services

It was moved by Mr. Bromley, seconded by Mr. Reese, and carried unanimously to approve payment to the Titusville Area School District in the amount of \$14,329.34 for the District's 2011 portion of LST taxes.

Mayor Smith stated she originally had issues paying this because she misunderstood and thought it was for 2012. Mrs. Durstine clarified for her that this is for 2011 taxes. Mr. Reese stated this is money the School District was counting on a year ago. Now we have dug in to it and this is something else he can learn a little bit more about. Mayor Smith stated now that she knows it is for 2011 she is going to vote positively for this only for that reason.

1st reading - Council Bill No. 6 of 2012 – No Parking Chestnut and Elm Streets

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to introduce Council Bill No. 6 of 2012 on 1st Reading as amended with corrections.

AN ORDINANCE OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, AMENDING ARTICLE 521, PARKING GENERALLY, SECTION 521.06, PARKING PROHIBITED AT ALL TIMES, TO PROHIBIT PARKING ON THE SOUTH SIDE OF EAST ELM STREET FOR A DISTANCE OF 50 FEET EAST FROM ITS INTERSECTION

WITH CHESTNUT STREET AND FOR A DISTANCE OF 32 FEET WEST FROM ITS INTERSECTION WITH CHESTNUT STREET, AND ON THE WEST SIDE OF CHESTNUT STREET FOR A DISTANCE OF 25 FEET NORTH FROM ITS INTERSECTION WITH EAST ELM STREET.

Mr. Manross described this signage as allowing the trucks at Horn Textiles to turn and back their trucks in to the loading dock.

Mr. Bromley added that the Police Chief can tell Council that the department has spent a lot of time up there and he went up and talked to Mr. Steinbuhler today and he showed him the situation. Mr. Bromley went on to say that he believes Horn Textile has exhausted all attempts to rectify this. He understands and supports this and doesn't think it is going to harm anybody in any way. Mr. Cartney added that Horn Textiles has been in town since 1897. Mayor Smith added that she took a walk up there Friday after work and viewed that also and supports it. There was discussion after Mr. Adelman stated the description doesn't jive with what he had envisioned. He understood on Elm Street it was the South Side. It was confirmed that the "North" descriptions should be "South" and the motion was amended "with corrections".

It was moved by Mr. Reese, seconded by Mr. Bromley, and carried unanimously to approve Payment Requisition #2 for the WWTP Phase III Upgrade Project in the amount of \$103.80.

Pay Requisition #2 - WWTP
Phase III Upgrade Project

PUBLIC PARTICIPATION

Tom Kopper – 323 East Main Street

Commented in regards to a book he is reading named the 5,000 Year Leap. He read an excerpt from the book on the 21st Principle: Strong Local Self-government is the Keystone to Preserving Human Freedom. "Political power automatically gravitates toward the center, and the purpose of the Constitution is to prevent that from happening. The centralization of political power always destroys liberty by removing the decision-making function from the people on the local level and transferring it to the officers of the central government. This process gradually benumbs the spirit of "voluntarism" among the people, and they lose the will to solve their own problems. They also cease to be involved in community affairs. They seek the anonymity of oblivion in the seething crowds of the city and often degenerate into faceless automatons who have neither a voice nor a vote." The reason he brings this up is the Main Street issue. There were a countless number of people that were in support of not taking out the barrier. He wants to know who the people were that Council talked to that wanted the barrier taken out and why they were not at Council meetings to voice their opinions. His opinion is that Council disregarded what the people said. He wants to know what will be done to control the speed. He asked what is more important to please a few people or having someone injured.

Mayor Smith stopped Mr. Kopper to give him an answer. She said she typically tries to hold back on her comments however, she was in support of the petition at City Hall. She did not sign it but she supported it because it stands for "We the People". It's all about the people giving their voice. She believes in people and listens to them. She went on to say that she almost feels insulted when a person asked her who those people were that told her or came to her and said open it up. She said 99% of the people came to her and said open it up and she is done talking about that. She feels that there is not one on Council that is not doing their job. Council is listening to everyone. She is not quite sure of the percentage of signatures, but she will say less than 1% signed the petition and if this is not proof enough she doesn't know what more we can do. On speeding she promised and can guarantee that we have the best cops out there and they will do their job. Council will continue to look in to and making sure it is safe. She stressed that sometimes you can't stop stupid and if a person wants to speed you're going to get that whether you are living in the City of Titusville or little Hydetown. We can't take and police everything but she promised that the City is going to do the best we can and will continue to monitor and look in to that end. Sometimes she feels like Council is up here and folks feel like Council is not doing the job. She promised Mr. Kopper and everyone that they are. She gets tired of hearing that and the people have spoken and the petition showed that. She finished by telling Mr. Kopper that she really appreciates the things he has to say and his input.

Keith Morrison – 110 Overlook Drive

Mayor Smith confirmed that Board minutes are on the agenda and reviewed every month. Mr. Morrison state the meeting Council was talking about happened at the end of January. He stated there is no reason for the pension board minutes not to be done even with the understanding that tax season is busy. There are only 4 meetings a year and he thinks it is important for Council members who don't serve on the pension boards to have access to those minutes. Maybe Council can ask the Secretary to have the minutes from the next meeting at the next Council meeting going forward. Mr. Reese added he doesn't want to call anyone out, but since he has been on council and the pension boards, the pension boards have typically gotten the minutes and financials a couple of days before the meeting. The chairman has never made it clear what was wanted. Mr. Reese said he requested the minutes in January before he left and never got them and this needs to be addressed immediately. He doesn't want to make it look like the person that is taking the minutes is not doing their job. She is doing it as it has been done in the past but that does need to be changed. Mrs. Durstine added in regards to Council's approval, the minutes from the pension meetings in question would not be approved until the

pension meeting on April 26th so they would be at Council's meeting in May for Council to approve. In other words, after the Boards approve them, Council would get them for Council's approval.

Tim Mallory – 204 W Main Street

Spoke in regards to the water agreement. He had to step out of the meeting and wanted to see if he missed discussion on the water agreement. Mr. Manross said skipping over that was intentional as he was going to explain at the end. He met with the people from Hunt Marcellus yesterday along with the Solicitor and Public Works Director. There were just too many loose ends that need to be tied up to actually talk about this. It will be on the next work session for discussion unless something happens where they need it sooner and we will have to call a special meeting. Mr. Mallory stated after the last discussion it sounded like a lot of forethought is going in to the process and it sounds like a good idea to him. Mr. Bromley stated Council is all ears as this is important to him and the community. Mr. Manross stated we are moving forward with it cautiously.

**COMMENTS BY
MAYOR/COUNCIL**

Mr. Cartney thanked Council for stopping up at Horn Textile and checking out their situation and taking their time to help improve everything for them.

Mr. Reese thanked all of the volunteers that get out for the kids playing baseball. He went on to say, it is something to see and his kid is a part of it. The volunteers of the Titusville Area Little League do a great job and are great people and he has been enjoying that throughout his move here. That said the schedule this year is on Tuesday nights for his son. Council can worry about that later, but his son's first game will be on the first work session in May and Mr. Adelman will be out of town for business as well. He would like Mayor Smith put this on the agenda to talk about meetings going forward. For the May 1st meeting there is a good chance that there may be a small group.

Mr. Bromley commented that a couple of months ago one member of the Fire Department defined a problem with regard to ambulance calls. He thought there were 37 unanswered calls. He would like to know where we are at with that from the administration and the Mayor. It seems like we were out of the gate with a bunch of steam and he hasn't heard a thing since. If there is a problem with regard to our ambulance calls he thinks it needs to be fixed. He had received a call from the Assistant Chief that we were putting together some meetings and possibly a committee to look at that issue on that and he hasn't heard anything from him for quite some time. Mr. Manross will email Council on this.

ADJOURNMENT

It was moved by Mr. Cartney, seconded by Mr. Bromley and carried unanimously to adjourn the meeting at 6:55 p.m.

APPROVED BY COUNCIL

THIS 15th DAY OF May, 2012

Mayor Smith thanked everyone for coming and participating.



Mayor Esther M. Smith

I hereby certify the foregoing to be a true and correct copy of the minutes of the Council Meeting of April 17, 2012.



Diana A. Durstine
Recording Secretary