



CALL TO ORDER

The special meeting of Titusville City Council was called to order by Mayor Nystrom in Council Chambers at City Hall 5:15 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Led by Mayor Nystrom.

ROLL CALL

Members Present: Mayor James Nystrom, Deputy Mayor Esther Smith, Councilman Pat Cartney, Councilman Jay Reese.

Councilwoman Bonnie Hull was absent for roll call, but did arrive at 5:35 p.m.

Interim City Manager Gary Thomas, Solicitor Richard Winkler, Mary Hill represented The Titusville Herald. GBS Television taped a portion of the proceedings. City Engineer Jack Rae was also present.

ADOPTION OF AGENDA

It was *moved* by Mrs. Smith, *seconded* by Mr. Cartney, and *carried unanimously* to adopt the meeting Agenda as prepared.

**PUBLIC PARTICIPATION
PERTAINING TO
AGENDA ITEMS**

None

*Resolution No. 13 of 2011
ACT 537 Plan Approval*

It was *moved* by Mrs. Smith, *seconded* by Mr. Cartney, and *carried unanimously* to adopt Resolution No. 13 of 2011 approving the Act 537 Sewage Facilities Plan Update.

Mr. Reese thanked Mr. Rae for coming before Council again on this. Mr. Reese stated more than likely the option that the engineer recommended is probably the way to go. Mr. Reese went on to say he got hooked on a few things along the way in the Act 537 book. Mr. Reese questioned the size of the new SBR tank and said he felt that \$1 per gallon to construct it seems high to him.

Mr. Rae stated the tank would be the same size as the others roughly 800,000 gallons.

Mr. Reese stated he thinks the option could have been presented better and he hopes it doesn't get kicked back by DEP.

Mr. Rae outlined the new summary sheet he came up with including all project options and consistent percentages and thanked Mr. Reese for all of his questions.

Mrs. Smith commented that this has just been such a difficult project for her to understand. She went on to say when another council member has questions it throws up a red flag for her too. She said this is not her area of expertise and she agrees the City will have to trust the engineer and Council will put their faith in the City's Public

Works Director. She stated her questions got answered, but this has been a very confusing project for her. She requested that individuals not bring big projects to Council two months ahead of time and then ask Council make hasty decisions. She stated she is going to pass something that she has never gotten comfortable with.

Mr. Rae asked Council if they would like him to go over the project. Mrs. Smith stated she doesn't know now if it would make a difference.

Mr. Nystrom questioned the location of the new tank and if there would be room for expansion for a 6th tank if necessary in the future if Cherrytree and Hydetown would require addition to our system.

Public Works Director Randy Nebel stated the footprint for the 5th tank was looked at. As the City upgrades the sludge process, the sludge drying beds could be moved providing the space for an additional tank. Mr. Nebel stated in his opinion, the 5th SBR is going to allow us to take in everything we need to take in and allow for expansion.

Mr. Nebel stated he wanted to add a comfort level to this discussion. The Part 2 permit of the Phase II project that was accomplished in 2005 spoke to the need for a 5th tank. At that time the City deemed it not necessary and did not want to spend the extra money to do that at that time. Six years down the road here we are and we have to put it in now.

Mr. Nystrom asked for clarification on the ICEAS process.

Mr. Rae stated this is part of the bubbler system. It is the first step and is completed in the tanks.

Mr. Cartney and Mrs. Hull stated they had no questions.

Mr. Reese stated the issue as he understands it is treating rainwater. He reviewed and could not make all the numbers add up. He went on to say that he is not going to be 100% confident until we are finished. He stated he appreciated Mr. Rae answering his many emails.

Mr. Nystrom summarized where Council was at and repeated the motion on the floor for Mrs. Hull.

It was moved by Mrs. Hull, seconded by Mr. Reese, and carried unanimously to adopt Resolution No. 16 of 2011; authorizing and Approving a legal services agreement for Bond Counsel services associated with the Wastewater Treatment Plant Upgrade Project.

Mr. Nystrom commented this is a requirement needed by the USDA that we have to have it in place, but does not mean we will use it.

Resolution No. 16 of 2011
Bond Counsel associated
with the WWTP Upgrade
Project

Interim City Manager Thomas stated the City went with a firm that we have used in the past. We were going to go with the City's Solicitor, but the USDA requires a red book Bond Counsel.

Mr. Thomas stated it is his understanding that the Bond Counsel is needed because at some point the City will borrow the \$2.9 million then the USDA will take it over. It is part of the financing arrangement. The costs will be absorbed by the USDA.

Mr. Nebel stated this is interim financing. When you have a loan/grant combination the loan is expected first.

Mrs. Smith asked the Solicitor to clarify.

Solicitor Winkler stated from his understanding this is standard practice for the USDA. They want the agreement in place although it is conceivable that it would never be used.

Mr. Nystrom stated this agreement must be in place for the USDA to continue.

Keith Morrison – 110 Overlook Dr.

PUBLIC PARTICIPATION

Commented on the Bond Counsel issue. He stated he understands why the City needs to go through the process right now but would hope if the City needs to close a bond that they put it out to bid.

Jim Gross – GBS Television

Requested a rundown on what this project is going to cost, where the money is coming from, and an estimated completion date.

Mr. Nystrom stated the approved total project is \$6,454,000. USDA \$2,324,000 low interest loan; \$3,515,798 USDA grant money; \$354,202 CDBG; \$260,000 from the City. December 2013 is DEPs finished project target date.

Tammy Champion – 418 W Main St

Questioned if the \$6.4 million is a finalized figure that will cover the entire project and how the City chose the Bond Counsel. Mr. Nystrom stated the figure is for the entire project. Mrs. Smith questioned if the grant monies are a guarantee. Mr. Nebel stated they are not and discussed the Federal pool. Mr. Thomas stated we should know by the first of June. The bond Counsel is someone the City has used before.

Leah Carter – 214 W Spruce St

Questioned if the City can work with Take Pride on Clean and Green Day June 4th.

CITY OF TITUSVILLE

City Council Proceedings – May 23, 2011 – Special Meeting

**COMMENTS BY
MAYOR/COUNCIL**

Mr. Thomas stated if the Firemen are able and available that day they can flush the hydrants. The street sweeper would cost overtime if run on Saturday. Mr. Nebel stated the street sweeper is out in the downtown every Friday.

Mrs. Smith questioned if there is any way the budget discussion after the meeting could be discussed in public or if it is personnel.

Mr. Nystrom stated most of it is going to be personnel at this point. Council will discuss this at their first work session in June.

ADJOURNMENT

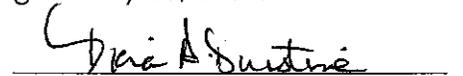
It was *moved* by Mrs. Smith, *seconded* by Mr. Cartney, and *carried unanimously* to adjourn the meeting at 6:00 p.m. to a Budget Work Session.

APPROVED BY COUNCIL

THIS 21ST DAY OF June, 2011


James A. Nystrom, Mayor

I hereby certify the foregoing to be a true and correct copy of the minutes of the Special Council Meeting of May 23, 2011.


Diana A. Durstine
Recording Secretary