



CITY OF TITUSVILLE

BIRTHPLACE OF THE OIL INDUSTRY

COUNCIL PROCEEDINGS
June 10, 2008



The regular meeting of Titusville City Council was called to order by Mayor Peden in the Conference Room at the Titusville Redevelopment Authority at 7:00 p.m. Invocation was given by Mrs. Hull. The Pledge of Allegiance was led by Mayor Peden. Present at the meeting were Mayor Dennis Peden, Councilmen James Nystrom, John Frye, Councilwomen Bonnie Hull and Esther Smith, Mary Ann Nau, City Manager. Stella Ruggiero represented The Titusville Herald.

It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to accept the minutes of the regular meeting of May 27, 2008 as submitted and place on file.

PUBLIC PARTICIPATION - Pertaining to agenda items - None.

MANAGER'S REPORT

1. **Bike Trail** - A meeting with Titusville Area Trail Association was conducted to determine best locations for signage through PennDOT's TODS program. This is signage to help drivers when they reach decision points when trying to locate the Trail head. Also, internal directional signage was also discussed for the trail within the City.
2. **DEP Consent Order and Agreement** - A meeting with DEP, City staff and Engineer has been set for Wednesday, June 11, 2008. The City continues to provide regular progress reports to DEP per our Monitoring Plan and Schedule.
3. **Titusville Flood Control Project** - Letter to PEMA regarding the appeal of FEMA's decision has been transmitted. The City has received no further information regarding to date.
4. **Letter of Support** - A letter of support has been prepared and transmitted to ORA. They are applying for a grant through The History Channel to document through video the rehabilitation progress. This is cooperation between TASD Middle School and ORA.
5. **Walking Tour - Phase II** - The Committee met and the Tarbell House will remain one of the signed locations on the Phase II Tour. Criteria for future sites will be developed by the Committee. The next meeting is June 9, 2008 and the Committee will be making final edits to the blue line reproductions. Installation should be on time for the August Oil 150 Celebration activities.

MANAGER'S REPORT - (Continued)

6. **Moody and Associates** - A meeting was conducted between representatives of the City, TRA, Moody, and Rockwell Petroleum regarding the use of the WWTP as a discharge point for brine water. If their project gains the necessary DEP approvals, then they will move forward with the City in a cooperation agreement.
7. **Second Annual Sidewalk Program** - Second Annual Sidewalk Program has been cancelled this year due to lack of interest by both the public and local contractors.
8. **2008 City Council Priority Projects** - An update of the Project's List given to the Administration is attached to the Manager's Report along with a list of grants received by the City from year 2000 to present, and Boards/Authorities/Commissions membership criteria work sheet.
9. **Supervisory Personnel Procedures Manual** - Has been completed and first DRAFT sent to Department Heads for their review and comments by June 13, 2008.
10. **Titusville Area Ministerium** - A letter has been sent back regarding their question regarding equal access to City facilities.
11. **PennPRIME Grants** - The City has received two grants from PennPRIME. One to provide CPR and AED training for our employees. The other to purchase confined entry equipment.

It was moved by Mr. Nystrom, seconded by Mr. Frye, and carried unanimously to accept the Manager's Report as submitted and place on file.

OPERATIONAL REPORTS - It was moved by Mrs. Hull, seconded by Mrs. Smith, and carried unanimously to accept the Operational Reports (Police, Fire, Public Works Director, Finance Director, Building Inspector) and Treasurer's Report for the month of May and place on file.

Mrs. Nau commented that she talked to the City's auditors about setting up a seminar for City Council on June 24, 2008 at City Hall at 5:30 p.m. They will go over the 2007 Audit.

MINUTES OF BOARDS AND COMMITTEES - It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to accept the minutes of the Housing Authority dated 4/22/08, the Benson Memorial Library dated 2/29/08, Planning Commission dated 4/1/08, CHIC Steering Committee dated 4/24/08 and place on file.

BILL LISTING - It was moved by Mr. Frye, seconded by Mr. Nystrom, and carried unanimously to ratify the bill listing warrants dated 5/30/08, and 6/6/08.

It was moved by Mrs. Hull, seconded by Mr. Frye, and carried unanimously to approve the bill listing warrant dated 6/11/08.

NEW BUSINESS

PLC&M 2008 RESOLUTIONS - It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to support the Resolutions for the PLC&M Annual Committee Meeting as written.

COUNCIL BILL NO. 4 OF 2008 - An Ordinance of the City of Titusville, Crawford County, Pennsylvania approving the editing and inclusion of certain Ordinances as parts of the various component codes of the Codified Ordinances of Titusville, Pennsylvania.

It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to introduce Council Bill No. 4 on first reading.

RESOLUTION NO. 12 OF 2008 - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania, adopting amendments to the City's consolidated schedule of fees as established by Ordinance No. 3028 of 2000.

Mayor Peden stated this Resolution would increase the refuse and recycling collection fees from the 2005 rate of \$12.98 per month to \$14.38 and the residential factor plus back yard pick up from the 2005 rate of \$17.98 per month to \$19.38.

In raising the fee, Mr. Nystrom asked how much of that is passed on to the contractor. Mrs. Lamberson stated .90. The remaining .50 is administrative costs. Mrs. Nau stated that covers a portion of postage, printing costs, computer maintenance, city service dept. and various other administrative costs to administer the program.

It was moved by Mr. Frye, seconded by Mr. Peden to adopt Resolution No. 12 of 2008.

Vote on the motion was Mrs. Smith, Mr. Frye - yes; Mr. Nystrom, Mayor Peden, Mrs. Hull - no.

Mayor Peden asked that the Resolution be prepared that the collection fee be increased by the .90 that we are obligated to pay the contractor at this time. At this time Mayor Peden stated he is not ready to pass on another .50 for administrative fees to our customers. Mr. Nystrom suggested that the fee be raised by \$1.00. Mrs. Nau stated that she would like to point out that they have done a projection and at the end of 2009 with a .30 increase, they will have \$22.17 in that fund. If they do not keep a balance in that fund then they will be using tax dollars to subsidize the refuse collection which is a separate service for the City. Mayor Peden asked Mrs. Nau to explain what is the transfer from the Refuse to the General Fund. Mrs. Nau stated that transfer covers the administrative people who administer that program from the Treasurer's office to the Public Works.

RESOLUTION NO. 12 OF 2008 - (Continued)

Mayor Peden asked what amount they transfer. Mrs. Nau stated \$65,000. Mrs. Nau stated that what has gone up is the 8% increase in postage, 7% in advertising, 11% in printing and computer maintenance. The interfund transfer has remained constant. They have a contingency of \$100.00 that went up 11% for a total increase of 8%. Mrs. Nau stated that DEP requires them to do advertising for their recycling program. Mayor Peden stated he would like to see the difference in the cost of the post card they were doing and the creation that came out. What are the additional costs going from a post card to the paper.

RESOLUTION NO. 13 OF 2008 - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania to establish an Audit Board to provide independent review and oversight of the City of Titusville's financial reporting, internal controls, and annual audit process.

It was moved by Mr. Nystrom, seconded by Mrs. Smith to adopt Resolution No. 13 of 2008.

Mr. Frye questioned the term of the members. (The Resolution states the term of one member of the audit committee shall be one year, the term of one member shall be two years, and the term of one member shall be three years.) Mr. Nystrom stated that every year they will come up for a three year term. Mr. Frye stated he feels it should state that. Also, Mr. Frye stated he doesn't think Council members should be on this Committee. Mayor Peden asked Mr. Nystrom if he would revise his motion to include those changes. Mr. Nystrom stated he would revise the motion to say they are three year terms but initially they are appointed as one, two, and three. Mr. Nystrom said he does not agree with Mr. Frye that Council members should not be on this Committee. Mrs. Smith stated she agrees with Mr. Nystrom.

Mayor Peden stated the motion is revised that Resolution No. 13 be adopted based on the change of the terms of the membership only.

Mr. Frye stated he doesn't think anybody from Council should be on it. He thinks if they are going to have an Audit Committee it should be an independent group with no influence from anyone.

Vote on the motion to adopt Resolution No. 13 as submitted was: Mr. Nystrom, Mrs. Smith - yes; Mr. Frye, Mrs. Hull, Mayor Peden - no.

It was moved by Mrs. Hull, seconded by Mr. Nystrom, to adopt Resolution No. 13 on the recommendation of Councilman Frye on the term of the membership. Vote on the motion was: Mr. Nystrom, Mrs. Smith, Mrs. Hull, Mayor Peden - yes; Mr. Frye - no.

Mayor Peden stated that Resolution No. 13 has been approved as amended for the terms of the membership. The last question on the table regarding Resolution No. 13 is who the membership is made up of. Councilman Frye has a recommendation that no member of City Council sit on the Audit Committee.

It was moved by Mr. Frye, seconded by Mayor Peden, to amend Resolution No. 13 of 2008 to exclude all Council members from sitting on the Audit Board. Mr. Frye stated if you want it to be an independent audit then he thinks no members of Council should be on it. Vote on the motion was: Mrs. Hull, Mrs. Smith, Mr. Frye, Mayor Peden - yes; Mr. Nystrom - no.

AUTHORIZATION FOR THE CITY MANAGER TO SUBMIT LETTER TO PENNDOT

It was moved by Mrs. Hull, seconded by Mrs. Smith, and carried unanimously to authorize the City Manager to submit a letter of request to PennDOT regarding identifying pole design per recommendation of TRI and the Chamber and request that any anticipated cost for the City be identified prior to bidding.

Mr. Frye stated he wanted to make sure that they will not incur any costs by sending this letter. Mayor Peden stated his understanding is all they are requesting for right now is information regarding the pole and what the cost to the City would be.

RESOLUTION NO. 14 OF 2008 - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania, expressing the sense of City Council regarding the expenditure of City Funds.

Mayor Peden stated that this Resolution is a result of Mrs. Smith's request that they have a spending freeze. They do have a recommendation from the City Manager and the Finance Director that a spending freeze could not be recommended because they feel the budget currently is at a state that they are real tight as it is. Mayor Peden stated what he would like to see with this Resolution is that they begin their budgetary process, start scheduling conferences and review every aspect of the current budget and the upcoming budget with the Manager and the Finance Director. Mayor Peden stated that under the Third Class City Code it is the responsibility of the City Manager who in turn gives responsibility to the Finance Director to control the budget on a day to day basis. They as members of Council set the budget but do not recommend on a day to day basis what is frozen, what is not frozen. Mayor Peden stated he thinks the City Manager and Finance Director have the best interest of City Council in mind knowing that they do not want expenses spent unless they desperately need to be spent. They don't want to change the day to day. They want to save every penny they can in the current budget however.

It was moved by Mrs. Hull, seconded by Mrs. Smith, and carried unanimously to adopt Resolution No. 14 of 2008.

PUBLIC PARTICIPATION - None.

It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to adjourn the meeting to a personnel session with the Fire Chief and Police Chief followed by immediate adjournment. Meeting adjourned at 7:50 p.m.

Suzanne Birtciel
Recording Secretary