



CITY OF TITUSVILLE

BIRTHPLACE OF THE OIL INDUSTRY



COUNCIL PROCEEDINGS
September 16, 2008

A special 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. Present at the meeting were Mayor Dennis Peden, Councilmen John Frye, James Nystrom, Councilwomen Bonnie Hull and Esther Smith. Mary Hill represented The Titusville Herald.

Mayor Peden read Resolution No. 23, No. 24, No. 25, and No. 26 and stated that these are the agenda items they will be discussing this evening.

PUBLIC PARTICIPATION - Pertaining to agenda items - None.

NEW BUSINESS

RESOLUTION NO. 23 OF 2008 - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania to approve a Settlement Agreement and General Release between the City of Titusville and Mary Ann Nau, City Manager, and to authorize the execution and delivery thereof.

It was moved by Mrs. Hull, seconded by Mr. Nystrom, to adopt Resolution No. 23 of 2008.

Mr. Frye gave the following statement: When he applied for an opening on City Council four and a half years ago, he was asked if he would be able to speak openly and honestly on the topics at meetings. I have always tried to do that. Also, I was asked if I had a personal agenda and I said no. My only agenda is to make the City of Titusville better. I have always also upheld that. However, these past few months working here I was not sure that's always true with all the members of Council. I think some members of Council and some members of the Community have personal agendas and are bringing them here. I don't approve of it.

I would also like to take this opportunity to thank Mary Ann for coming to Titusville when she did and for doing what she has done for this Community. Mary Ann and I have not always agreed on everything, however, we have agreed to disagree and move forward. I think she has always had the best interest of Titusville at her forefront. She came to Titusville when we were in financial difficulties and we were getting fined by DEP on almost a daily basis. Since her tenure here we have straightened out our financial situation, we have gotten rid of the fines from DEP, got out of the Consent Order, and have moved forward.

Right now we are in some financial difficulty again, partly due to our actions up here in not following some of the direction that Mary Ann has given us. She has asked us to raise some things and we have not done that. Is that her fault? I don't think so. Other accomplishments that she has had: She has sought many grants and received them from PennVEST, WREN, DCED, Growing Greener, DCNR, FEMA, DEP, and various other organizations. We received state funding to go through the Early Intervention Program and develop a Five Year Long Range Plan for the City. She has upgraded the City's Codified Ordinances and we now actually have an Ordinance book that we can follow and know what the laws are. She has been an integral part in negotiating contracts with the AFSCME Union, the Police, and the Fire, and getting great concessions in many of those contracts. They now pay part of their health insurance and they also got some things out of the contracts that were very costly to the City.

I think we as Council, and I am going to take my share of the blame on this too, have handled this situation in a very poor manner. The rumors have been around for weeks and we are to blame for that. We should have acted a lot quicker, been more decisive, and moved forward. We did not do that. We drug our feet and we caused our own issues. Again, I am willing to take my share of the blame and I think the rest need to too.

The Department Heads, I know you are hanging out there in limbo and I feel terrible for you. You have my support and I am not against any of you. I can't speak for the rest of Council. I think they owe it to you to tell you where you stand.

When I asked why they should get rid of Mary Ann, I was given two reasons. One, they want to go in a different direction. Mr. Frye stated he asked for clarification what that direction is and he still doesn't know so he doesn't know he can go in that direction. Without knowing that, he has a problem. Also, Mr. Frye stated he was told the other reason was "I asked for a report. It was a few days late getting to me." Mr. Frye stated that is no big deal to him. I think when you have the state off of our back, we are not in bankruptcy, I think she has done her job. Mr. Frye stated he knows some people out here don't agree with what he is saying, but that is their choice and that is their right. This has been a witch hunt. There are other people that are targeted. Some are School District employees and some are City employees. Mr. Frye stated they had better be careful what they are doing and it has been out there and he thinks they have to stop it.

Mr. Frye thanked Mary Ann for all of her work. He is sorry for the way this was handled. He thinks it is a big embarrassment not just to the City but to City Council as well. Mr. Frye stated in the future they have to move forward and put this behind them but don't let these kind of things happen again.

Mrs. Smith stated she takes offense to the fact that it was just said it was a witch hunt.

Mrs. Smith stated when she got elected, first of all she is a Christian, and second of all, she made a promise to every citizen and taxpayers of Titusville that she would do her very best to serve. She personally has absolutely nothing against Mary Ann Nau. She is basing her position, her vote tonight on situations and things that she has seen. Mrs. Smith stated she is more determined to make sure that the City of Titusville is an affordable place to live. Mrs. Smith stated she does not, and will not, unless she sees that it is an absolute necessity, she is not for increasing taxes and City services. She is not out for a witch hunt. She is here to better the City of Titusville.

Vote on the motion to adopt Resolution No. 23 of 2008 was: Mayor Peden, Mr. Frye - no; Mrs. Smith, Mr. Nystrom, Mrs. Hull - yes.

RESOLUTION NO. 24 OF 2008 - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania revoking its action of January 28, 2002 authorizing the creation of a position of Deputy Manager of the City of Titusville. It was moved by Mrs. Hull, seconded by Mrs. Smith, and carried unanimously to adopt Resolution No. 24 of 2008.

RESOLUTION NO. 25 OF 2008 - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania to appoint an Interim City Manager for the City of Titusville. Whereas, the position of the City Manager of the City of Titusville is vacant; and, Whereas, the City Council of the City of Titusville desires to appoint an Interim City Manager to serve while a search is undertaken for the retention of a new City Manager. Now, Therefore, Be it Resolved by the Council of the City of Titusville and the Council assembled at a stated meeting as follows: Resolved that Mr. Richard Winkler is hereby appointed as Interim City Manager to serve a period of two weeks as the Interim City Manager while City Council has the opportunity to interview interested citizens of our Community.

It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to adopt Resolution No. 25 of 2008.

Mayor Peden stated that they ask anybody in the Community who would be interested in serving as Interim City Manager to apply at City Hall through our City Clerk. Cutoff date is September 23, 2008.

RESOLUTION NO. 26 OF 2008 - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania to appoint a City Clerk. Whereas, the position of City Clerk of the City of Titusville, Pennsylvania is currently vacant; and, Whereas the City Council of the City of Titusville desires to appoint a City Clerk. Now Therefore Be It Resolved by the City Council of the City of Titusville, Pennsylvania and Council assembled at a stated meeting as follows: Resolved that Suzanne M. Birtciel is hereby appointed City Clerk for the City of Titusville to serve until her successor is duly appointed and qualified.

It was moved by Mr. Frye, seconded by Mr. Nystrom, and carried unanimously to adopt Resolution No. 26 of 2008.

PUBLIC PARTICIPATION - None.

It was moved by Mr. Frye, seconded by Mrs. Smith, and carried unanimously to adjourn the meeting and reconvene in ten minutes for the work session. Meeting adjourned at 7:20 p.m.

Suzanne Birtciel
Recording Secretary