



CITY OF TITUSVILLE

City Council Proceedings – February 15, 2011

CALL TO ORDER

The regular meeting of Titusville City Council was called to order by Mayor Nystrom in the Conference Room at the Titusville Redevelopment Authority at 6:00 p.m.

INVOCATION

Given by Jackie Wagner.

PLEDGE OF ALLEGIANCE

Led by Mayor Nystrom.

ROLL CALL

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

Interim City Manager Gary Thomas, Solicitor Richard Winkler. Mary Hill represented The Titusville Herald.

NOTICE OF EXECUTIVE SESSIONS

Mr. Nystrom stated Council held a couple of executive sessions since their last meeting. Contract negotiations and other legal matters were the topics in those meetings.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES

It was *moved* by Mrs. Smith, *seconded* by Mr. Cartney, and *carried unanimously* to accept the minutes of the regular meeting of January 18, 2011 as submitted and place on file.

PUBLIC PARTICIPATION PERTAINING TO AGENDA ITEMS

None

REPORTS

It was *moved* by Mrs. Hull, *seconded* by Mr. Reese, and *carried unanimously* to accept the Operational Reports; Building Inspector, Fire, Police, Public Works, and Treasurer for the month of January 2011 as submitted and place on file.

Fire Department

Mr. Reese questioned of the three structure fires in the report if the chimney fire was included. Fire Chief Crotty stated yes.

Public Works

Mr. Reese questioned the swimming pool fill at Burgess Park. Mr. Nebel stated the contractor that did the resurfacing on the inside of the pool recommended the pool be kept filled. It had to be drained so we could seal it.

BILL LISTINGS

It was *moved* by Mrs. Hull, *seconded* by Mrs. Smith, and *carried unanimously* to ratify the bill listing warrants dated 1/20/2011, 1/27/2011, 2/3/2011.

Warrant Dated 1/20/2011 - \$46,350.04 – no questions
Warrant Dated 1/27/2011 - \$16,932.78 – no questions
Warrant Dated 2/3/2011 - \$21,873.45 – no questions

OLD BUSINESS

Resolution No. 5 of 2011

It was moved by Mr. Cartney, seconded by Mrs. Hull, and carried unanimously to adopt Resolution No. 5 of 2011 Amending Article 191 Fee Schedule.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE ADOPTING CERTAIN AMENDMENTS TO THE CITY'S CONSOLIDATED SCHEDULE OF FEES AS ESTABLISHED BY ORDINANCE NO. 3028 OF 2000.

Mr. Nystrom stated Council spent time talking about this and were down to a couple of comments on the water and sewage. The new language would be tap fees plus direct cost of restoration materials per site.

Mr. Reese stated this is good housekeeping.

Mr. Reese and Mrs. Smith stated they appreciate Mr. Cartney's work on the fee schedule.

Approval Pitt Student Union Expansion

It was moved by Mrs. Hull, seconded by Mr. Cartney, and carried unanimously to approve the University of Pittsburgh at Titusville's expansion with the addition of a cafeteria to its student union building.

Mr. Nystrom stated Council had representatives from Pitt at the February 1st meeting and they explained what they are doing. Mr. Nystrom stated he thinks that it is a project that is not only going to improve the University but also the City.

Approval of 2011 CDBG recommended projects - died

It was moved by Mrs. Hull, seconded by Mr. Nystrom to approve the initial recommended 2011 CDBG projects.

Mr. Reese, Mrs. Smith, Mr. Cartney – No
Mr. Nystrom and Mrs. Hull – Yes

Mr. Reese stated his issue is lumping a lot of things together. He supports 78% of it. He stated he does not want to be a rubber stamp for anything and he is not going to vote for something that he does not believe in.

Mrs. Hull stated if you are opposed to one particular line item we don't even know what the total is yet so once we get the total amount that line item might be gone anyway. We are just basing this on an assumption of what we might receive.

Mr. Reese stated if it doesn't pass as this it doesn't pass and he will make another motion and we'll get 90% of it on the docket again.

Mrs. Smith stated she gave her opinion last week. She went down to where Longeway Park is. She stated she does not agree with

spending money for that park but wanted to get the opinion of neighboring property owners. Mrs. Smith stated quite a few of them were for it but they did state that their kids played there but they are retired and their kids are gone. There are a few families that use that park. Mrs. Smith stated that \$30,000 could pave our low to moderate income streets. She stated there are other more constructive ways to spend our tax dollars than at the park. Mrs. Smith questioned if we got last year's audit.

Mr. Nystrom stated it discussed at the January meeting of TRA and was to be delivered to the City.

Mrs. Hull stated the Longeway Park issue was brought to Council two years ago and she and Mrs. Smith, and Mr. Nystrom were sitting on Council at that time when they voted in support.

Mrs. Smith stated things do change.

Mrs. Hull stated if we are going to do paving for low to moderate income families using CDBG money we have to do surveys and all kinds of stuff that require funds so if you are talking about \$35,000 going in to paving you are cutting in to it right away.

Mr. Cartney stated he wasn't here in 2008 but just doesn't see \$30,000 going toward Longeway Park.

Mr. Reese stated he supports the Park and the ongoing projects. He stated his issue is with the Redevelopment Building Renovations timing and necessity. He stated he knows it is an ongoing project but it is just not something he can put his arms around right now. Mr. Reese stated he spoke to and supports Jim Becker in everything he does but they have a difference on one item.

It was moved by Mr. Reese, seconded by Mrs. Smith to support everything on the list except the Towne Square renovations.

Mrs. Smith, Mr. Cartney, Mrs. Hull, Mr. Reese – Yes
Mr. Nystrom – No

Mr. Nebel stated he had a lengthy talk with Mr. Becker today. If Council does not move on it today Council would have time call a special meeting but the process needs to keep moving or we lose the CDBG money.

Mr. Reese stated he does not want to hold the project up.

Mrs. Smith stated she doesn't mind spending some on Longeway Park but thinks that \$70,000 is outrageous. She stated \$10,000 is sufficient.

Mr. Nystrom stated he thinks Council should vote to settle and to

*Approval of 2011 CDBG
recommended projects
excluding Towne Square
Renovations - Passed*

cherry pick is not the proper way to handle it.

Mr. Reese stated different people are voting no for different reasons and that is why it should be separated.

Mr. Larry Manross who serves on TRA stated that even though Council votes on this these things are not cut in stone. Changes can be made. There is room for modification by resubmitting the change to the State. It's not like we will lose them as we would if we don't get them passed.

It was moved by Mr. Reese, seconded by Mrs. Smith to support the Towne Square renovations.

Mr. Nystrom, Mrs. Smith, Mrs. Hull – Yes
Mr. Cartney, Mr. Reese - No

Mr. Nystrom asked for clarification from Solicitor Winkler if the package would pass with this motion. Mr. Winkler stated yes everything passes and they could have voted item by item and gotten everything to pass as well.

Mrs. Smith stated she did vote yes because she was told Council could bring up these figures at a later date because she still wants to discuss dollar amounts.

It was moved by Mr. Reese, seconded by Mrs. Hull and carried unanimously to approve the 2011 MMO payment schedule of half in the first quarter and half at a later date.

Mr. Nystrom clarified the payments for Fire and Police. Pre-payments were made in order to meet obligations in January. \$50,000 for Police and \$30,000 for Fire. For Police \$112,454 to get it to 50%. For Fire \$70,463 to get it to 50%.

Mr. Reese clarified that the City would be receiving state aid.

Mrs. Smith questioned if Council typically does this every year.

Mr. Nystrom stated Council does not but with the prepayment he felt it was necessary that it come before Council for approval.

It was moved by Mrs. Smith, seconded by Mr. Cartney, and carried unanimously to approve the authorization for Public Works to replace Truck 2 at a purchase price not to exceed \$10,000.

Mr. Nebel stated Truck #2 is a dump truck.

It was moved by Mrs. Hull, seconded by Mr. Reese, and carried unanimously to accept the resignation of Jeffrey Wolfe from the

Approval of 2011 CDBG
Towne Square Renovation
project - Passed

Approval 2011 MMO
Payment schedule

Approval for Public Works to
replace Truck #2

Resignation from Airport
Authority

PUBLIC PARTICIPATION

Airport Authority.

Mr. Reese commented that he had spoken to Mr. Kuhn when Mr. Wolfe was up for re-appointment and Mr. Kuhn said Mr. Wolfe was very helpful during his time at the Airport. Mr. Kuhn had a lot of nice things to say about him.

Mr. Nystrom confirmed a thank you letter would be sent out.

Larry Manross – business owner 220 W Central Ave, Titusville

Questioned whether there is a penalty to the City for making the 2nd payment of the MMO at a later date.

Mr. Nystrom stated there is not and the City can actually hold the money until the end of the year and require them to make payments to retired personnel out of their investment accounts.

Keith Morrison – 110 Overlook Dr, Titusville

Reminded Council that they don't know what the arbitrations will come back with for Police and Fire and from his review of the budget it doesn't look like Council has budgeted for Police and Fire salary increase for 2011. Council may be back with the same potential layoff discussions and may be able to use the park money to keep the officers working. Mr. Nystrom stated CDBG monies cannot be used for that. CDBG monies are being used as a match for the outside grant that was received. Mr. Morrison questioned if the CDBG monies could be used for the replacement truck for Public Works. Mr. Nystrom stated this is a possibility. Mrs. Hull stated there is contingency built in to the budget for arbitration results. Mr. Nystrom asked Interim City Manager Thomas to take a look at these questions.

Tom Kopper – 323 E Main St, Titusville

Commented on the condition of our streets and all of the pot holes that are cropping up. He shared his opinion on brick streets and shared his opinions on unions and what he feels they have done to our country.

Ken Leach – City of Titusville Firefighter

Commented on issues with ALS related ambulance service calls in the City. He stated he was at a Council meeting a year ago and said there was a problem. He stated if Emergycare is not going to cover the City in the way that they should then we need to find another ambulance service. He thinks the Fire Department should have their own ambulance so the City is covered when no one is available from Emergycare. It was stated that Emergycare does not pay a Franchise Fee for the City of Titusville and ambulance service

is open to anyone. Mr. Leach wants to run BLS to the hospital if necessary not answer ALS calls. He stated an ambulance service would be paid for by insurance or fund raising. Mr. Nystrom requested Mr. Leach gather information in order to make it happen and bring it to an upcoming work session.

Tammy Champion – 418 W Main St, Titusville

Questioned if the new custodian of all of the pension monies actually have possession of that money or is administering them. Mr. Nystrom explained the details of Act 44 and the difference between the Fire/Police defined benefit programs and Public Works defined contribution program and the new requirement to set up the advisory board for investment. He stated there will be a meeting in the next week or so to get the new Board together. The transfer has been held up pending the outcome of the new Act. Mr. Reese stated he thought that the City had received legal opinion last week from the Solicitor to process the transfer and does not know why the money has not been transferred. Mr. Nystrom said he will get in touch with some people and see that it happens.

**COMMENTS BY
MAYOR/COUNCIL**

Mrs. Smith requested an update on the process for hiring the new City Manager.

Mr. Nystrom stated the Council has put out notices to publications saying the position is open. The search will occur mostly in the month of March.

Mr. Nystrom stated there was letter to the Editor stating there is something rotten in Denmark. Mr. Nystrom wanted to make it clear that there is nothing rotten in Denmark. The separation between Council and the City Manager was done on a professional basis and Council plans for it to continue that way. It was of mutual consent.

Mr. Cartney stated he agrees with Mr. Nystrom that in the letting go of the City Manager there was no dishonesty or anything done illegal on Pennie's behalf. It was mutual.

ADJOURNMENT

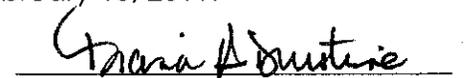
It was moved by Mrs. Smith, seconded by Mrs. Hull, and carried unanimously to adjourn the meeting at 7:13 p.m.

APPROVED BY COUNCIL

THIS 15th DAY OF February 2011


James A. Nystrom, Mayor

I hereby certify the foregoing to be a true and correct copy of the minutes of the Council Meeting of February 15, 2011.


Diana A. Durstine
Recording Secretary