



# CITY OF TITUSVILLE

## BIRTHPLACE OF THE OIL INDUSTRY

COUNCIL PROCEEDINGS

April 20, 2010



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. The Invocation was given by Father Davis. The Pledge of Allegiance was led by Mayor Nystrom. Present at the meeting were Mayor James Nystrom, Councilwomen Esther Smith and Bonnie Hull, Councilmen Jay Reese, Pat Cartney, Pennie Maclean, City Manager, Richard Winkler, Solicitor. Tom Boyle represented The Titusville Herald.

It was moved by Mrs. Smith, seconded by Mr. Reese, and carried unanimously to adopt the meeting Agenda as prepared. It was moved by Mr. Cartney, seconded by Mr. Reese, and carried unanimously to accept the minutes of the regular meeting of March 16, 2010 as submitted and place on file.

CONTRACT FOR NATURAL GAS - It was moved by Mrs. Smith, seconded by Mr. Cartney, and carried unanimously to accept a proposal by National Fuel Resources, Inc., for the purchase and sale of natural gas for use at certain City locations, and enter into a twenty-four month contract agreement with National Fuel Resources, Inc. as recommended by the City Manager.

Ms. Maclean stated that the City received three quotes - MidAmerican Natural Resources, Open Flow Energy, and National Fuel Resources, Inc. By far, the National Fuel Resources was substantially better pricing and the best option for the City cost wise.

INTERIM FINANCING FOR WWTP - It was moved by Mrs. Smith, seconded by Mr. Cartney, and carried unanimously to accept the proposal of Northwest Savings Bank for the purchase of a general obligation note in the amount of \$800,000 for the interim financing of a WWTP improvement project as recommended by the City Manager.

Ms. Maclean stated that this proposal is to initiate the Wastewater Treatment Plant project - what we are calling Step 1 of Phase III upgrade. This is to replace the jet aeration system with a fine bubbler system. Ms. Maclean stated that she received quotes from Farmers National Bank, Northwest Savings Bank, and PNC Bank. There were a variety of options within the proposals. Ms. Maclean stated her recommendation is for the Northwest Savings fixed rate at 3.75% - 59 month loan. It is slightly less expensive than the Farmers Bank option. It provides less conditions, processing steps, and legal requirements than the PNC option.

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PUBLIC PARTICIPATION - Pertaining to agenda items - None.

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

Mr. Reese asked Mr. Nebel if they were catching up reading water meters. Mr. Nebel stated yes, they are going to do 1/3 of all the meters each month so they have a total reading according to our Ordinance on a quarterly basis.

Ms. Maclean advised Council that as of the end of March, they were actually about \$16K less spending in the General Fund from the prior year but they are also about \$10K down in Revenue from last year.

MINUTES OF BOARDS AND COMMITTEES - It was moved by Mrs. Smith, seconded by Mr. Reese, and carried unanimously to accept the minutes of the Planning Commission dated 12/1/09, 2/28/10, 3/25/10, the minutes of the Leisure Services Board dated 3/4/10, and the minutes of the Housing Authority dated 3/2/10 and place on file.

BILL LISTING - It was moved by Mr. Nystrom, seconded by Mrs. Smith, and carried unanimously to ratify the bill listing warrants dated 3/19/10, 3/26/10, 4/2/10, 4/9/10, and 4/16/10.

OLD BUSINESS

TRI REQUEST TO DRAW DOWN FUNDS FROM ECONOMIC DEVELOPMENT LINE ITEM  
Mayor Nystrom stated there was a request made to draw down \$9,000 which was in a budgeted line item of \$10,000 and we are looking for a motion to entertain or not entertain TRI's request.

It was moved by Mrs. Smith, seconded by Mr. Cartney not to entertain a motion regarding TRI request at this time.

Mr. Reese commented that he appreciates what Leah does, however, where the City is, he does not support the full draw down. He is open to a compromise. Mrs. Hull stated after being on TRI for several years, she cannot understand why the City would choose not to support the work of TRI. Mrs. Smith stated she does not feel at this time that they can financially afford to do it and when she looked at the line items and how it is broken down - Program and Project Management - \$5,000 - she was always under the impression it is a volunteer group. Also, they have \$1,500 for first time visitor marketing initiative. She looked at Titusville's web site and thinks they do a pretty decent job advertising via the internet. Mrs. Smith stated she doesn't think financially our City can afford that this year. Not saying that she wouldn't support it at a later date, but they just don't have it.

Mrs. Hull stated it is an all volunteer group. There should be some understanding regardless of who is doing the work that there are expenses involved - phone bills, printing, copying, all the stuff that is expected when you are filing grants. Mrs. Hull stated if Renaissance is going to continue to do that then they need the support of the City.

Mayor Nystrom stated if funds become available he has no problem doing it. They basically have three months under their belt and a slim budget. Mayor Nystrom stated he is not ready to give the full \$9,000 at this point but would consider a different amount. Mr. Cartney agreed with the Mayor's comments. Mr. Cartney stated he would agree to visit later in the year.

Vote on the motion not to entertain the funding at this time was: Mrs. Smith, Mayor Nystrom, Mr. Cartney, Mr. Reese - yes; Mrs. Hull no.

**POLICE DEPT. REQUEST RE: MATCHING FUNDS FOR GRANT APPLICATION**

It was moved by Mrs. Hull, seconded by Mr. Reese, to entertain a motion regarding the Police Department request.

Mayor Nystrom stated there are some things on the request they need to act on. Mayor Nystrom asked Chief Thomas if he had a number that may not equal the \$16,000, could they still apply for the grant. Chief Thomas stated whatever Council's wishes are they will make do with whatever they can. They are still looking at some point that the federal government will come out where you can use a grant to leverage a grant. They have the support of their Senators on this issue. If the bullet proof vest program opens up in May and they apply for and are awarded, they can use that towards this grant. Chief Thomas stated whatever they can do to help will be greatly appreciated. Chief Thomas stated there is a fairly quick turnaround on those bullet proof vests so they would know that before this one was awarded. Mrs. Smith asked Chief Thomas if he was hoping the the City would set aside money. Chief Thomas stated he was hoping the City would earmark some money so if they needed it they could have some matching funds until they could see what they can come up with in May. Chief Thomas reviewed the priority list with Council. (Copy attached.)

Mayor Nystrom stated there is always the option that the City could back out of their commitment at some point if funds are just not available and the Chief does not feel that will hurt him moving forward. Chief Thomas stated they are not going to submit this grant in the next couple of days so they can wait and see if others come through, but they need to know if they can go ahead.

Vote on the motion giving the approval for submission of the grant carried unanimously.

NEW BUSINESS

APPROVAL OR RE-OCCURRING SPECIAL EVENT - (Oil Festival - 8/13, 8/14, 8/15/10) - It was moved by Mrs. Smith, seconded by Mrs. Hull, and carried unanimously to approve the re-occurring special event -Oil Festival - 8/13, 8/14, 8/15/10 contingent on entities receiving approval by the state where necessary.

Ms. Maclean stated that the week-end would include similar things we have had in past festivals - arts and crafts; a parade on Saturday, 8/14; a brew fest on Saturday; a cruise in; fireworks, and request to close down the streets in the downtown area for the week-end, essentially from Martin to Perry between Spring, Central, and the alley south of Main. The close dates would be from Friday at 5:00 p.m. to Sunday at 5:00 p.m.

APPROVAL OF SUBDIVISION REQUEST - It was moved by Mrs. Smith, seconded by Mrs. Hull, and carried unanimously to approve the subdivision request of the Titusville Redevelopment Authority as recommended by the Planning Commission.

Ms. Maclean stated this is a sale of property by TRA to International Waxex, Inc. which is just north of the WWTP. This will provide for International Waxex access to the railroad line which is where they hope to expand and utilize. It is a total of 3.2 acres.

APPOINTMENT TO SHADE TREE COMMISSION - It was moved by Mrs. Smith, seconded by Mrs. Hull, to appoint Robert Cartney, 317 W. Main Street, to the Shade Tree Commission for a five year term. Vote on the motion was: Mrs. Hull, Mr. Reese, Mayor Nystrom, Mrs. Smith - yes; Mr. Cartney abstained stating Robert is his brother.

APPOINTMENT TO AIRPORT AUTHORITY - It was moved by Mrs. Hull, seconded by Mr. Reese, and carried unanimously to appoint Jim Becker, 608 West Spruce Street, to the Airport Authority to fill an unexpired term. Term will expire 1/1/14.

RESOLUTION NO. 6 OF 2010 - RE: Award of Natural Gas Supplier - A Resolution of the City Council of the City of Titusville, Crawford County, Pennsylvania, to accept a proposal by National Fuel Resources, Inc. for the purchase and sale of natural gas for use at certain City locations, and authorizing the Mayor and Controller to execute and deliver a base contract for the purchase of natural gas.

It was moved by Mrs. Smith, seconded by Mr. Reese, and carried unanimously to adopt Resolution No. 6 of 2010.

**RESOLUTION NO. 7 OF 2010 - RE: Federal Fair Housing Law** - Let it be known to all persons of the City of Titusville that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services, because of race, color, religion, ancestry, sex, national origin, handicap or disability, is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the Pennsylvania Human Relations Act. It is the policy of the City of Titusville to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex, national origin, handicap or disability, or familial status (families with children). (Copy of Resolution attached.) It was moved by Mayor Nystrom, seconded by Mrs. Smith, and carried unanimously to adopt Resolution No. 7 of 2010.

**COUNCIL BILL NO. 1 OF 2010** - An Ordinance approving indebtedness of the City of Titusville, Crawford County, Pennsylvania, by the issue of a General Obligation Note in the amount of \$800,000 for the interim financing of a Wastewater Treatment Plant improvement project, fixing the form, number, date, interest, and maturity thereof; making a covenant for the payment of the debt service on the note; authorizing the creation of a sinking fund and designating a sinking fund depository; providing for the filing of the required documents; making certain federal income tax covenants with respect to the note; accepting the proposal of Northwest Savings Bank for the purchase of the note; and authorizing execution, sale and delivery thereof and execution and delivery of related documents. It was moved by Mr. Cartney, seconded by Mrs. Smith, and carried unanimously to introduce Council Bill No. 1 on first reading.

**PUBLIC PARTICIPATION** - Mr. Larry Manross commented regarding the parade it sounds like they are going to shut the downtown again. He didn't realize this was going to be ongoing. He thought it was only a one time thing for the Oil 150 celebration. Mr. Manross stated if he is going to close his business, he thinks at least the parade should run through the downtown. Mayor Nystrom suggested he take that up with the Parade Committee and the Oil Festival Committee.

**COMMENTS BY COUNCIL** - None.

Ms. Maclean stated she wanted to express special thanks to Public Works. Over on Spring Street they had a massive valve leak that took quite a bit of effort to get resolved and that was one of those above and beyond efforts to get that fixed.

It was moved by Mrs. Smith, seconded by Mr. Reese, and carried unanimously to adjourn the meeting to a personnel session followed by adjournment. Meeting adjourned at 7:15 p.m.

Suzanne Birtciel  
Recording Secretary