



CITY OF TITUSVILLE

BIRTHPLACE OF THE OIL INDUSTRY

COUNCIL PROCEEDINGS
October 14, 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 Pastor Phil Taylor, Grace Fellowship Church. The Pledge of Allegiance was led by Mayor Peden. Present at the meeting were Mayor Dennis Peden, Councilmen John Frye, James Nystrom, Councilwomen Bonnie Hull and Esther Smith, Richard Winkler, Interim City Manager. Mary Hill represented The Titusville Herald. Jim Gross represented GBS.

It was moved by Mrs. Hull, seconded by Mr. Nystrom, and carried unanimously to adopt the meeting Agenda as prepared. It was moved by Mr. Frye, seconded by Mrs. Smith, and carried unanimously to accept the minutes of the special meeting of September 16, 2008 and the minutes of the regular meeting of September 23, 2008 as submitted and place on file.

PUBLIC PARTICIPATION - Pertaining to agenda items - None.

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

Mr. Nebel reported on bag cost for leaf removal stating that biodegradable are \$53.50 per hundred or .53 cents per bag, and clear bags bought in bulk are .23 cents per bag.

MINUTES OF BOARDS AND COMMITTEES - It was moved by Mr. Nystrom, seconded by Mrs. Smith, and carried unanimously to accept the minutes of the Housing Authority dated 7/8/08 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 9/26/08, 10/3/08, and 10/10/08. It was moved by Mr. Nystrom, seconded by Mr. Frye, and carried unanimously to approve the bill listing warrant dated 10/15/08.

OLD BUSINESS

COUNCIL BILL NO. 6 OF 2008 - Proposed Ordinance No. 3173 - An Ordinance establishing a Blighted Property Review Committee, establishing its purpose, responsibilities and membership, and creating a process for its certification of blighted properties in the City in accordance with the requirements of Section 1712.1 of the Urban Redevelopment Law of 1945, as amended.

It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to adopt Council Bill No. 6 on second reading.

NEW BUSINESS

COUNCIL BILL NO. 7 OF 2008 - An Ordinance of the City Council of the City of Titusville, Crawford County, Pennsylvania, amending Article 521, Parking Generally, of the Codified Ordinances of the City of Titusville, to prohibit parking at all times on the west side of South Perry Street from St. John Street south to the City limits; and to add a new Section 521.062 to prohibit parking during the period of September 1 through March 30 annually, between the hours of 12 midnight and 7:00 p.m. along the entire length of Bel Air Drive, Meadow Lane, Orchard Lane, East Mount Vernon to Brook Street, West Mount Vernon Street to Church Run Road, White Oak Drive, Superior Street extension, and Bank Street.

It was moved by Mrs. Hull, seconded by Mrs. Smith, to introduce Council Bill No. 7 on first reading.

Mr. Frye asked if they have the cost associated with that. Mr. Nebel stated that the signage for that portion is \$3,350.00.

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

COUNCIL BILL NO. 8 OF 2008 - An Ordinance of the City Council of the City of Titusville, Crawford County, Pennsylvania, amending Article 508, Stop Streets, of the Codified Ordinances of the City of Titusville to designate East Walnut Street as a stop street at its intersection with North Brown Street, to designate East Walnut Street as a stop street at its intersection with Murdock Boulevard, to designate Chestnut Street as a stop street at its intersection with East Elm Street, and to eliminate North Brown Street as a stop street at its intersection with East Walnut Street.

It was moved by Mr. Frye, seconded by Mr. Nystrom, and carried unanimously to introduce Council Bill No. 8 on first reading.

COUNCIL BILL NO. 9 OF 2008 - An Ordinance of the City Council of the City of Titusville, Crawford County, Pennsylvania, to prohibit parking on alternating sides of certain streets within the City of Titusville between the hours of 12 midnight and 7:00 p.m. during the period of September 1 through March 30 annually.

It was moved by Mrs. Smith, seconded by Mrs. Hull, to introduce Council Bill No. 9 on first reading.

Mr. Nebel stated that the signage cost is \$15,150.

Vote on the motion to introduce Council Bill No. 9 on first reading was: Mr. Nystrom, Mrs. Smith, Mrs. Hull, Mayor Peden - yes; Mr. Frye - no.

COUNCIL BILL NO. 10 OF 2008 - An Ordinance of the City Council of the City of Titusville, Crawford County, Pennsylvania, amending Article 335, License and Business Privilege Tax, by setting a flat license fee for a license to engage in a Business, Trade, Occupation, Profession, or Merchandising operation within the Corporate Limits of the City of Titusville in the amount of \$80.00 annually and to prorate the fee for businesses commencing operations after the beginning of a year.

It was moved by Mrs. Hull, seconded by Mr. Nystrom, to introduce Council Bill No. 10 on first reading.

Mr. Frye said he wanted to state his objection. Mr. Frye said he doesn't see a reason to tax the small businesses and decrease the amount they are taxing the bigger businesses. Mr. Frye said he has no problem with pro-rating. Mr. Frye stated that one of the reasons this was brought up was to make it easier for the Treasurer to collect it, however, when the Treasurer was asked he said he had no problem with the split system. Mr. Frye stated if the Treasurer has no problem collecting with the split system, he thinks they ought to keep the split system and get off the little businesses back.

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

GATEWAY DERRICK PROJECT - Mayor Peden asked Mr. Winkler if he was able to do anything on a lease agreement with the Redevelopment Authority. Mr. Winkler stated he was able to reach TRA's attorney and he committed to prepare a draft for the City. Mr. Winkler stated he has not received anything yet.

It was moved by Mr. Nystrom, seconded by Mr. Frye, and carried unanimously to approve the lease Agreement between the City of Titusville and the Titusville Redevelopment Authority subject to the Solicitor's negotiation and approval and to authorize the appropriate City officials to execute the Agreement.

RESOLUTION NO. 28 OF 2008 - A Resolution of the City Council of the City of Titusville to appoint an interim City Manager for the City of Titusville.

It was moved by Mrs. Hull, seconded by Mrs. Smith, to adopt Resolution No. 28 of 2008 and appoint Michael Allyn as interim City Manager to serve for an indefinite term until the hiring of a permanent City Manager, or until his earlier death, resignation, or retirement.

Mr. Frye stated he thinks this is wrong. He thinks Rich has done a good job and should continue. Mr. Frye stated he thinks the relationship between the Department Heads and Rich is better suited for the City. He has some concerns that if Mike is away from TRA, what is going on there if he is down doing City business.

Mr. Frye stated he is concerned about how Mike is going to be getting paid by two entities at the same time. Mr. Frye stated he is not really sure Mike wanted the job. He didn't really apply. Mr. Frye stated he thinks he was coerced into coming forward. Mr. Frye stated he has a lot of concerns about it and thinks that it would be better if it was Rich.

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

TITUSVILLE FLOOD CONTROL PROJECT - Letter of response from PEMA regarding appeal to FEMA of Termination of PEMA-1485-20-003; Titusville Acquisitions and Easements; Hazard Mitigation Assistance Unified Grant Program - Mr. Winkler stated that there had been a grant approved under the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program quite some time ago. Because of the change in direction from a dry dam to a culvert, FEMA terminated the old grant on the basis that this was an entirely new project. PEMA, the state agency, filed an appeal on behalf of the City to try to get that ruling overturned. They were unsuccessful and FEMA maintained its decision to terminate the grant. Mr. Winkler stated that the letter that came to the City from the state indicated there is another federal program which has grant money available for projects of this type. Mr. Winkler stated they have four different programs. It appears that one of them would be of the type that this project would fall under. It appears that they have a maximum grant amount of \$3M per project under that particular program. Mr. Winkler stated if he interprets their guidance document correctly, the state would actually be the grant applicant and the City would be a sub applicant under the state's grant. It appears to be an annual grant cycle. This year's cycle, the applications are due no later than November 21, 2008. Mr. Winkler stated if Council wishes to pursue it, they probably ought to start by talking to the people at the state PEMA and get an idea of whether they are behind us and what the next step would be to convince them to pursue it. Mr. Winkler stated it appears if the project is approved it has to be completed in three years from grant approval. Mayor Peden stated the new interim City Manager having background in grant application, etc. probably one of the first things he should do when he walks in the door is to take a look at this. Mayor Peden stated he thinks they need more information.

PUBLIC PARTICIPATION

Mr. Don Frazier stated regarding alternate parking, he doesn't understand what they are doing the month of September. He doesn't see any leaves being picked up until October. Mr. Nebel stated the final phase of the street sweeper for the year is in September.

COMMENTS BY MAYOR AND/OR COUNCIL/COMMITTEE REPORTS

Mr. Nystrom commented that they would like to get input from the citizens regarding the Council Bills that were introduced this evening. Mr. Nystrom urged everyone to take the opportunity to look at these and bring their comments to Council. What they are trying to do is improve the way they deliver City services in snow plowing, leaf collection, street sweeping. Mr. Nystrom stated it may inconvenience some people but they are looking at what might be the best interest of the City as a whole.

Mrs. Hull thanked Mr. Winkler for taking over as interim for the past few weeks and for his hard work.

Mr. Frye commented the main reason he is voting no against the Council Bills (#7 and #9) is because he doesn't know where they are getting the money to pay for those signs. They are supposed to be having a spending freeze and he thinks that is money they didn't need to spend at this time. If they want to do it next year then put it in the budget and do it, but until then, Mr. Frye said he didn't think it was responsible on their part to do that.

Mayor Peden also thanked Mr. Winkler, stating he appreciates his efforts.

It was moved by Mrs. Hull, seconded by Mr. Nystrom, and carried unanimously to adjourn the meeting. Meeting adjourned at 7:50 p.m.

Suzanne Birtciel
Recording Secretary