



CITY OF TITUSVILLE

BIRTHPLACE OF THE OIL INDUSTRY

COUNCIL PROCEEDINGS
March 25, 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 Tim Maybray, Free Methodist Church. 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. Smith, and carried unanimously to accept the minutes of the regular meeting of March 11, 2008 as submitted and place on file.

PUBLIC PARTICIPATION - Pertaining to agenda items

Mr. Thomas Schroeder stated that he represents Beauchat Rentals and wanted to speak to Council regarding proposed Council Bill No. 2. Mr. Schroeder stated that a letter was sent out to the small housing landlords in Titusville a year ago regarding multi-unit readiness to serve charges. Mr. Schroeder stated that they are locked in for what they can charge tenants. Targeting them is not fair. Mr. Schroeder stated whatever is done, make it across the board.

APPROVAL OF BILL LISTING - It was moved by Mr. Frye, seconded by Mrs. Hull, and carried unanimously to ratify the bill listing warrants dated 3/14/08 and 3/20/08. It was moved by Mrs. Hull, seconded by Mr. Frye, and carried unanimously to approve the bill listing warrant dated 3/26/08.

OLD BUSINESS

COUNCIL BILL NO. 2 OF 2008 - An Ordinance of the City Council of the City of Titusville, Crawford County, Pennsylvania, amending Article 923 of the Codified Ordinances of the City of Titusville by revising certain definitions, by imposing a new readiness to serve charge and a revised base rate charge and setting an effective date for this Ordinance of August 1, 2008.

After discussion of Council Bill No. 2, Mayor Peden suggested putting this on next week's work session agenda with the Task Force members in attendance and have an open discussion about this. Mr. Nystrom stated he would like to know, to vote on something that has a financial impact, what that impact is. Mr. Nystrom also stated that the revenue generated from the readiness to serve charge should be set aside in a separate account specifically for maintenance upkeep and improvement of the water system.

NEW BUSINESS

AUTHORIZATION TO REPLACE ONE FULL TIME POSITION WITH TWO PART TIME

Mayor Peden stated for the public information, our clerk at the Police Department has resigned. The Police Chief has given Council a recommendation to hire two part time individuals that will open the clerk's window up during a portion of normal business hours.

It was moved by Mrs. Smith, seconded by Mrs. Hull, to not authorize replacing one full time position at the Police Department with two part time positions. Vote on the motion was: Mr. Nystrom, Mr. Frye - no; Mayor Peden, Mrs. Hull, Mrs. Smith - yes.

PROPOSED RENOVATIONS AT ED MYER COMPLEX - It was moved by Mrs.

Hull, seconded by Mr. Nystrom, and carried unanimously to authorize the Titusville Area School District to move forward with engineers and develop a proposal for the fields (Art Pearson, Daisy Campbell, and Vonda Fay fields, varsity softball field (field #3), and two varsity soccer fields) that would include a list of projects, budget, and timeline.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM - It was moved by Mrs. Hull, seconded by Mr. Nystrom, and carried unanimously to not authorize the administration of CDBG funds in house as recommended by Resource Development & Management, Inc. - Early Intervention Program.

COUNCIL BILL NO. 3 OF 2008 - An Ordinance of the City of Titusville authorizing the execution of a Cable Franchise Agreement between the City and Armstrong Utilities, Inc.

It was moved by Mr. Frye, seconded by Mrs. Hull, to introduce Council Bill No. 3 on first reading.

Mr. Nystrom stated he believes in setting this Ordinance in place, it allows them to assess up to 5%, not necessarily at 5%. Mrs. Nau stated that is correct. Mr. Nystrom stated he does not basically have a disagreement with the overall agreement, but he wants to make sure they have the flexibility of setting what the rate would be and go from there.

Mayor Peden asked if that rate is not established by Ordinance, how do they establish that rate. Mrs. Nau stated it is established by Ordinance at 5% right now which can be adjusted because it is an Agreement. Mrs. Nau stated she is waiting to receive one piece of information from Armstrong. Mrs. Nau stated they are going to provide a snapshot of what type of services are being taken by the residents that are serviced by Armstrong today. Mrs. Nau stated that to date, the City has received \$7,500 for cable TV franchise fees. That \$7,500 is actually from last year which they didn't receive until the new year which is just over 13% of what was budgeted (\$56,597 - 2008 budget).

COUNCIL BILL NO. 3 OF 2008 - (Continued)

Mrs. Nau stated in order to meet the budget, the City needs to collect just over \$49,000 in the last three quarters of this year. This means that the quarterly payments from Armstrong for the remainder of the year would be near \$16,500. This would require 5% franchise fee including all the fee categories in order to meet the budget projection.

Mr. Frye stated he would like to have an opener each year and have it set with the yearly rate fees as part of the budgeting process.

Mr. Nystrom asked if there is any possibility of having in the Agreement up to 5% and for the fee to be set annually at the time of budget preparation. Mrs. Nau stated there is a notification process within the Agreement and there is a period of time which Armstrong must be notified in advance of that so they can notify their customers and set up their billing accordingly.

Vote on the motion to introduce Council Bill No. 3 was: Mayor Peden, Mrs. Hull, Mrs. Smith, Mr. Nystrom - no; Mr. Frye - yes.

PUBLIC PARTICIPATION

Mr. Thomas Schroeder spoke regarding inspections for houses that small landlords have. Mr. Schroeder pointed out that their insurance carrier inspects their houses twice a year and if they have an apartment with a HUD tenant, that is inspected each year. Mr. Schroeder questioned why they would need more inspections by the City. Mayor Peden stated that was one of the issues that was in the Early Intervention Plan (having a dedicated "Rental Property Inspection Program") and they as a group have not really discussed that. Mr. Frye stated when that was brought up, there was brief discussion possibly they would waive inspections for those that are inspected by HUD, but those that do not have that type of inspection, they may do something with.

Mr. Keith Morrison stated he would strongly encourage them based on Mr. Burnettes's recommendation to make it a priority item to adopt a new investment policy for the pension plans. Mr. Morrison stated for those members of Council who have not had the opportunity to look at the investment policy, he would encourage them to look at it and compare it to the draft investment policy submitted by Morrison Fiduciary.

Mr. Nystrom stated that is something they will be working with the Pension Boards on and looking at both the investment policy as well as getting a plan document put in place as recommended by Mr. Burnette.

Mr. Larry Manross commented that he personally thinks it was a good choice to not replace the clerk at the Police Department. Mr. Manross stated last year everybody had big discussions about making some cuts and he believes the ideal time in his opinion in making cuts is when somebody leaves.

COMMENTS BY MAYOR AND/OR COUNCIL/COMMITTEE REPORTS

Mrs. Hull commented the parade route for 2009 is going to be all the way down Main Street and all the way back up on Spruce Street. She would like to make sure that Spruce Street is definitely in the paving plan.

Mr. Nystrom stated he is still waiting to get the Consultant on the Water Study (original Engineer) up here to talk with them. Mrs. Nau stated that the Public Works Director is handling that.

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

Suzanne Birtciel
Recording Secretary