



# CITY OF TITUSVILLE

## City Council Meeting Proceedings **January 20, 2020**

<b>CALL TO ORDER</b>	The reorganization meeting of Titusville City Council was called to order by Mayor Peden in the 2 <sup>nd</sup> Floor Conference Room at Towne Square at 7:00 p.m.
<b>INVOCATION</b>	Pastor Robert Luther, Wesleyan Methodist Church
<b>PLEDGE OF ALLEGIANCE</b>	
<b>ROLL CALL</b>	Mayor Dennis Peden, Deputy Mayor Jon Crouch, Councilman Don Frazier, Councilman Roger Gordon, and Councilman Jim Stromdahl were present.  Mr. Peden welcomed Crawford County Commissioner Eric Henry and city department heads to the meeting.  Mr. Peden added Chamber Membership, Fire Station Change Order, and City Investment to Enhance Titusville for the Redevelopment Authority to the agenda.
<b>APPROVAL OF PREVIOUS MEETING MINUTES</b>	Mr. Peden asked City Solicitor Rich Winkler if Council could approve minutes that they were not a part of. Solicitor Winkler confirmed Council can and added one way or another they need to be approved to become part of the public record.  Mr. Gordon stated he would like to see a little more detail when it comes to discussion so they is more of a public record or reflection of what actually took place in the meetings.  Mr. Frazier added that meetings are recorded.  <i>Motion by Mr. Frazier, second by Mr. Gordon and carried unanimously to approve minutes of previous meetings.</i>
<b>ADDITIONS OR CORRECTIONS TO THE AGENDA</b>	<i>Motion by Mr. Gordon, second by Mr. Crouch and carried unanimously to approve the agenda with additions. (Chamber Membership, Fire Department Roof Change Order, Enhance Titusville)</i>
<b>PUBLIC PARTICIPATION PERTAINING TO AGENDA ITEMS</b>	None
<b>APPROVAL OF REPORTS</b>	<b>FIRE DEPARTMENT</b>  <i>Operational</i> Mr. Frazier questioned whether Chief Lamey's concern on the top elevation on the door was addressed. Mr. Peden made note of Mr. Frazier's comment as a change order was added to the agenda.  Mr. Peden questioned how often the Fire Department is called upon when there is no employees at the ambulance service. Chief Lamey said this is pretty common and described the Level 0 process.

**APPROVAL OF REPORTS  
CONTINUED**

*Operational*

**POLICE DEPARTMENT**

Mr. Frazier congratulated and acknowledged Officer Prugh and Officer Russell for their awards and work.

**PUBLIC WORKS**

Mr. Crouch thanked Public Works for clearing the roads the last couple of days.

Mr. Peden commented that he received a call from someone that had been out to the airport that they were real happy with the runway.

**BUILDING INSPECTOR**

Mr. Peden asked Building Inspector/Zoning officer Tim Lorenz for an update on the Diamond and Bank Street properties. The owner for the Diamond Street property is no where to be found. Normally the city holds insurance money in an escrow account for structures lost by fire. This property was underinsured for \$50,000. This left \$8,000 to the city to tear it down if he didn't. The low bid was \$189,000. \$6,000 was utilized by the City to remove the metal trusses. Without the ability to serve the property owner all attempts for a law suit have failed. Solicitor Winkler added the property is owned by a limited liability company. The owner is required to be served at his legal address and the sheriff's department of his state can find no evidence of him there.

Mr. Gordon asked if the owner's other properties could be attached. Solicitor Winkler added there is statutory way to do that and the sum total of the property would not get the City enough to get anywhere. All taxes are paid.

The owner of the Bank Street property was not insured so the City did not receive escrow funding to help tear it down. Charges were filed against the owner last August. He did not show up for the hearing where he was found guilty. They could put him in jail and that doesn't get the building down.

Mr. Peden stated he asked the Building Inspector to explain the process tonight because a lot of people think the City can post a notice on a property and then in a month or two tear it right down. It takes a lot of time and jumping through hoops to get these properties done.

**FINANCE DEPARTMENT**

Mr. Gordon questioned the monthly bank service fees he saw in the warrants. Finance Director Diana Durstine added the total fee of \$19.95 per month covers all 15 checking accounts.

**APPROVAL OF REPORTS  
CONTINUED**

*Minutes of Boards &  
Committees*

*Motion by Mr. Stromdahl, second by Mr. Frazier and carried unanimously to accept the operational reports as submitted.*

**Titusville Housing Authority**

Mr. Peden went through the numbers for occupied and waiting list properties for the Housing Authority.

*Motion by Mr. Crouch, second by Mr. Gordon and carried unanimously to accept the minutes as submitted.*

**RATIFICATION OF BILL LISTINGS**

Mr. Frazier read the totals for each warrant:

12/20/19 - \$20,858.57, 12/27/19 - \$70,696.66, 1/3/20 - \$27,026.50, 1/10 - \$748,004.19, and 1/17/20 - \$112,741.44

Mr. Peden stated council was not here for a lot of this. Solicitor Winkler confirmed it wouldn't make a difference if council approved the bills since they have already been paid and the bills are approved once the budget is approved unless a line item is over budget and needs approval or council has a question. Solicitor Winker said if the process works right, the Controller reviews the warrants to make sure there is budgeted money to cover the categories in the warrant.

Finance Director Durstine stated the Controller signs off on the warrants after they have been paid and council would need to discuss her schedule with her if they want her to sign off before bills are paid. Bills are paid every Friday. She added the right hand side of the warrant lists individual line items and if they are over budget.

Mr. Gordon stated he does not believe council should sign off on anything until it comes through to them from the Controller as a signed document. Solicitor Winkler added due dates might cause a problem.

Mr. Gordon made a motion that bills are tabled until the next meeting to let the Interim City Manager review the bills with the Controller so council has signed copies that the Controller approved. Otherwise council is ratifying something that is incomplete, *second by Mr. Crouch. Motion carried unanimously.*

**OLD BUSINESS**

*TRA Cooperation Agreement  
PITT Titusville Haskell Library  
Renovation Project*

Mr. Peden confirmed Interim City Manager Neil Fratus is up to speed on the project and Solicitor Winkler is ok with the change.

*Motion by Mr. Frazier, second by Mr. Stromdahl and carried unanimously to approve the Cooperation Agreement.*

Mott MacDonald Pretreatment Agreement

Motion by Mr. Frazier, second by Mr. Stromdahl, to accept the Mott MacDonald Pretreatment Agreement, Vote as follows:

Mr. Peden, Mr. Frazier, Mr. Stromdahl – Yes  
Mr. Gordon, Mr. Crouch - No

Mr. Gordon is still not clear as to the process of selecting them on an ongoing basis and why we do not bid it out and knowing we get the best bang for the taxpayer's dollar.

Mr. Peden confirmed the agreement goes through the full year and requested council authorize the Interim City Manager to start the process of bidding it out next time around.

Resolution No. 1 of 2020 Set Council Meeting Schedule

There was a discussion on the timing of School Board meetings with Board member Jean Spence.

Interim City Manager Fratus read Resolution No. 1 of 2020 by title.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, TO FIX THE MEETING DATES OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE.

SECTION I. The stated meetings of the City Council of the City of Titusville, each month, are hereby fixed as work sessions on the 2<sup>nd</sup> & 4<sup>th</sup> Mondays commencing at 7:00 p.m., and regular meetings on the 1<sup>st</sup> & 3<sup>rd</sup> Mondays, commencing at 7:00 p.m.

Motion by Mr. Gordon, second by Mr. Crouch, to accept Resolution No. 1 of 2020, vote as follows:

Mr. Gordon, Mr. Peden, Mr. Stromdahl, Mr. Crouch – Yes  
Mr. Frazier – No. (He thinks meetings should be on Tuesday)

Mr. Peden confirmed the agreement goes through the full year and requested council authorize the Interim City Manager to start the process of bidding it out next time around.

**NEW BUSINESS**

Oil Creek Township Bulk Water Agreement

Finance Director Durstine described the 1/14 meeting was in regards to the Free Church and the change of the Township's DEP permit from transient to non-transient which would require a certified water distribution operator. Mr. Peden asked what the hold-up was with the agreement. Mrs. Durstine stated the city just needs to sit down with Oil Creek, review the current agreement and make sure especially with the DEP change, that if they want to continue development out there that the agreement is conducive to that.

**NEW BUSINESS**

*Oil Creek Township Bulk Water Agreement – Continued*

There was discussion regarding the water distribution set-up, meter sizes, billing, the permit change, and time constraints.

*Motion* by Mr. Gordon, *second* by Mr. Frazier, and carried unanimously to direct the Interim City Manager to get this worked out in the next 30 days and get back to council with something to approve.

Resolution No. 2 of 2020  
Repealing City Council Meeting Rules

Mr. Peden discussed the resolution as being designed to replace Resolution No. 13 of 2019 – five (5) pages of rules for council meetings. He added meetings will be run by using Robert's Rules of Order and that everyone respect each other. If someone gets disruptive, the Police Chief is here. He thinks everyone should respect each other and that is the way we should operate.

Solicitor Winkler confirmed for Mr. Frazier that it is more the Sunshine Law that allows council to set meeting rules not Third Class City Code.

*Motion* by Mr. Crouch, *second* by Mr. Gordon, and carried unanimously to adopt Resolution No. 2 of 2020.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, REPEALING RESOLUTION NO. 13 of 2019 - RULES GOVERNING THE FUNCTIONS OF THE COUNCIL OF THE CITY OF TITUSVILLE, AND THE COMMITTEES THEREOF.

*Tax Anticipation Loan*

Mr. Peden said this is really labeled incorrectly and should be labeled as a loan we are taking from our water and sewer fund to offset costs incurred by the City until tax revenue came in and in turn we would keep accurate records from public works and we would be billing water, sewer, and/or refuse for actual time worked along with equipment charges. Transfers have already been made and the Finance Director was asked to secure interest rates on the payback of that loan.

Interim Manager Fratus passed out the loan summary. It is anticipated that \$500,000 is needed to operate the City until tax revenue comes in. Finance Director Durstine explained the \$500,000 amount is a good number only if 1) tax revenues remain consistent, MMOs are made at the same intervals, YTD expenses don't have a large jump and carryover from the previous year should be \$400,000. Tax bills go out the last week in February and revenue starts coming in the first week in March. Amounts transferred were \$51,259.50 from Refuse, \$217,842.50 from Water, and \$191,459.50 from Sewer totaling \$460,561.50. The original budget did not include allocations for equipment rates.

Tax Anticipation Loan  
Continued

Motion by Mr. Crouch, second by Mr. Gordon, to treat the first \$500,000 transfers as a loan from the water, sewer, and refuse fund to the general fund and set the interest rate to 1.35%. Vote as follows:

Mr. Peden, Mr. Gordon, Mr. Crouch – Yes  
Mr. Frazier, Mr. Stromdahl - No

Mr. Frazier asked for clarification that we have the money in our system to do this transfer and we are going to loan money to ourselves and charge interest back to repay.

Mr. Peden added it is no different than taking out a tax anticipation loan and the city is required by law to charge interest. This allows us to get a true handle on the transfers. Transfers since 2012 have increased by 73%. Revenue by 6%. Expenses by 14%. It appears on paper that we are balancing the budget by transfers.

Finance Director Durstine added in 2012 there were employees that worked in water distribution. They were paid 100% out of water. Water was not the only thing they did. The plowed, they ran the vac truck and they did other things. So the transfers should have been done the opposite way. We pulled those people out and two of the sewer people out because they were plowing and working in water. This is why you see the growth in that number from 2012.

Mr. Peden said they are just trying to get a handle on what the true expenses are. Like is street sweeping a water bill thing? If the city didn't own the sewage plant we'd still be sweeping our streets.

Mr. Gordon stated for understanding it's not borrowing from ourselves. We've got tax payers and water and sewer accounts that are two separate customer bases.

Finance Director Durstine questioned how council would like some of the functions booked like is street sweeping a general fund expense? Is curbing general? Mr. Peden stated Council is not an operations board they are a legislative board and that's up to the public works director and the city manager.

Mr. Gordon asked for clarification on the timeframe. Mr. Peden said this would be for the first transfer of funds which does not take the public works department off the hook for the whole year.

Mr. Peden summarized the discussion from the last meeting regarding whether CDBG funds should be with the Redevelopment Authority, the City or Crawford County Planning.

Mr. Gordon had discussion with the TRA since the last meeting and what was discussed was for a long time in the city we had competing forces for grant/loan money and we did not work as a

TRA Cooperation Agreement:  
CDBG

TRA Cooperation Agreement  
Continued

cohesive unit for economic development. One of the thoughts was we should encourage everybody to work together and recognize each agency that does have a part in the community by resolution; Titusville Community Development, Take Pride, Renaissance, the Chamber, volunteer or otherwise and give back CDBG, if that is Council's desire, with the understanding that all of these agencies will have somewhat of a cooperative working relationship.

Crawford County Commissioner Eric Henry clarified for Council through Zach Norwood the Planning Director; to have the county do it would cost 6%. The City could keep 12% if they want or it can go toward the project. (The City of Meadville's Cooperation Agreement does this) He stressed that the County does 50 municipalities and Titusville is the last municipality that the County does not do CDBG money for right now. All the projects come from public meetings in the City. They started doing Meadville in 2016. A lot of people when he was campaigning said Titusville was forgotten and this is of the many ways that the County can help.

Mr. Stromdahl commented the City has been doing it for 2 years getting the full 18% and he doesn't see a reason to change that.

Mr. Frazier asked for clarification on grant amounts and asked if council reviewed the information provided in the last meeting. He went on to say he has no problem with the TRA but it's the City's project money.

Mr. Crouch asked how many year TRA has done it and if Mr. Stromdahl is thinking that 18% doesn't stay in the community. Laurie Baker from TRA added TRA has been doing CDBG Administration for (about 50 years). She stated they use CDBG administration for other projects in the community. They are a small organization. There hasn't been any problems. She added she understands the County's point but they are not here. It's very difficult to get County representatives here. Mr. Crouch added the only reason the City took it over was the financial aspect, not because TRA wasn't doing a good job. Mr. Gordon added he feels for sure the appropriate place for CDBG administration is not with the City.

Mr. Peden asked Mrs. Baker for clarification on the additional funding for the fire truck purchase. She said in CDBG you have your admin funds and your project funds. Admin funds pay to do the application. After the application you have reports on everything. There is a lot to it. The project funds pay for what you do manning the projects; ads in the paper. The money that was taken for the Fire Truck should have been a modification which she said they could not do because the City took it over. Street light studies were paid out of TRA's own funds. A lot of the projects in CDBG come up short and they just take their own money and pay for it. So sometimes when you take admin money for a project it may be a little more

TRA Cooperation Agreement  
Continued

than you actually spend but the next project you don't get nearly enough to pay for it. That is how CDBG works.

Mr. Frazier would like to see reports and added DCED has given the City great kudos for the job they have done. Mr. Peden added he doesn't think this vote coming up is a direct reflection on the work Diana has done. If you read her job description, he doesn't know how it all gets done to begin with. The Redevelopment Authority is equipped to do it.

Airport Advisory Board

*Motion* by Mr. Gordon, second by Mr. Crouch, to move CDBG to the Redevelopment Authority. Vote as follows:

Mr. Peden, Mr. Gordon, Mr. Crouch – Yes  
Mr. Stromdahl, Mr. Frazier - No

There was a short discussion regarding past practices under the Airport Authority, and the need to leave the past in the past and move forward.

*Motion* by Mr. Crouch, second by Mr. Gordon, and carried unanimously to instruct the City Solicitor and Interim City Manager to draw up the necessary documents to create the Airport Advisory Board. (Seven member Board, city would maintain doing all the billing, and it would stay as part of the City audit)

Airport Fuel Rate

Mr. Peden added the City Council is a legislative board and not operational that is why there are boards.

Mr. Frazier does not believe it should be a seven member board. The Airport is part of City's infrastructure. A master plan was completed in 2013.

Mr. Crouch asked if Council could address the fuel issue at the Airport. He believes setting the fuel rate by the previous City Council to \$5.64/gallon took the City out of the fuel market.

There was discussion regarding the need for refreshing the tanks being required or not. Mr. Gordon thinks it is a delicate balancing act between refreshing it and selling it. Mr. Frazier added that he spoke extensively to the fuel provider regarding the refresh for unbranded fuel. Typical profit margin would be .40-.50/gallon. Prices in a 50 mile area spanned from 4.99 to 5.66. Mr. Gordon had been in retail for a lot of years and added there comes a point where you want the margin but you're not going to get it and you're further ahead to sell it even at a loss then not get anything.

Senior Center Lease

*Motion* by Mr. Crouch, second by Mr. Gordon, and carried unanimously to lower the price to \$4.999 until a board is in place within the next 30 days and the board comes back to Council to look at it.

Senior Center Lease  
Continued

Mr. Peden started with a background. The seniors have been at the center since 1970 and provided lunches. They helped with renovations and help put whenever needed. There are in there Monday-Friday 8-4:30. The increase in their rent is causing them to lose programming and activities. Council talked about going down and negotiating that lease to where they are paying for actual costs incurred by them. The apartment is vacant.

Mr. Stromdahl would hope that what they come up with at least covers the utilities.

Finance Director Durstine clarified that the utilities are for just the building not the entire park. There is one meter for each utility.

*Motion* by Mr. Gordon, *second* by Mr. Crouch, and carried unanimously to direct the Interim City Manager and Solicitor to renegotiate the lease with the director of the Senior Center.

Oil Region Alliance  
Membership

Mr. Peden commented they brought up with the work that they do in our region, we are the only City that does not support. They have been in our community, have redone the Ida Tarbell House, and are in the process of redoing the Scheide House as cultural center for the City. They do regional tourism – Bike Trail etc. Council found out through the Redevelopment Authority and ORA that there is no longer competition between TRA and ORA regarding tourism or anything like that. There is good cooperation with those two entities now.

*Motion* by Mr. Stromdahl, *second* by Mr. Crouch, and carried unanimously to authorize joining the Oil Region Alliance for \$2,000 coming out Contingency.

Chamber Membership

The City did not belong to the Chamber last year. There was an agreement for stuffing mailers in exchange for membership and before that an exchange for parking spots until the parking meters were taken out. The Chamber does not have a government rate.

*Motion* by Mr. Frazier, *second* by Mr. Crouch, and carried unanimously to join the Chamber in an amount not to exceed \$500 paid from Contingency.

Facebook Policy

Mr. Crouch brought this up. The City's year old Facebook page, was left open for comments and has caused a lot of animosity. The Social Media Policy was shared as a policy for employees and did not extend to Council.

Mr. Stromdahl personally does not like Facebook and as far as he is concerned people can go to the website.

Mr. Peden does not know how to get on Facebook. Mr. Frazier

Facebook Policy  
Continued

shared he believes Facebook is a tool that can be used in many ways and unfortunately for the past year has been used in the wrong way. From history the Facebook page came about because some people in the audience came forward because this is how young people get their information these days.

Finance Director Durstine added for consideration the myCivic/myTitusville app that was written in to the recycling grant. In the app people can be directed to police, fire, recycling events. This may reach a lot more people because they would choose to subscribe to the app. Facebook is free and the app has an annual fee for the City.

Mr. Peden added people can be trained or directed to the City's website. People will get a lot more information from going to the City's site; boards & committees, minutes, etc.

Mr. Crouch asked if it was possible to have a Facebook Page without comments. Someone from the audience answered it is not possible on a page only in a group page.

*Motion* by Mr. Stromdahl, *second* by Mr. Gordon, and carried unanimously to end the City's Facebook page.

Board & Committee  
Appointments

Mr. Peden listed City Council Appointments to Boards and Commissions.

Fire Pension Board Mr. Peden and Mr. Gordon  
Planning Commission Mr. Crouch  
Police Pension Board Mr. Peden and Mr. Gordon  
Redevelopment Authority Mr. Peden

Civil Service Commission Mr. Stromdahl  
Board of Code Appeals Mr. Stromdahl  
Board of Health Mr. Frazier  
Housing Authority Mr. Frazier  
Library Board Mr. Gordon  
Shade Tree Commission Mr. Frazier

Joe Covell – Planning Commission  
Dr. McAllister - Board of Health

*Motion* by Mr. Stromdahl, *second* by Mr. Peden, and carried unanimously to accept the list.

Capital Purchases

Mr. Peden asked for Capital Purchases to be frozen from today on until after Council opens the budget and speaks to Department Heads to make sure both they and Council are good with everything that is in the budget. No motion or roll call was taken.

Fire Station Change Order

Chief Lamey spoke regarding the door openings for the fire station renovation and the space required for trucks in the future. Solicitor Winkler confirmed council would need to approve the change order. Finance Director Durstine confirmed Joe Roddy has moved the change order forward for \$4,700. There are deducts in the entire project so the total of the project has not changed.

*Motion* by Mr. Stromdahl, *second* by Mr. Peden, and carried unanimously to recommend the Chief and Interim City Manager along with Mr. Roddy, review the change order and if the three of them find everything is fine give them the authority to ok it with the contingency that the opening is reviewed so that when it is in the driveway the truck and cantilever truly have enough clearance to get in to the building.

Enhance Titusville Investment

For the downtown market area shops. The City's proposed investment for the first year is \$10,000 for the manager, \$5,000 for program development, \$10,000 for the retail incubator in year 1. Years 2-3-4-5 the City's contribution is at \$10,500. Laurie Baker did not know for sure what year the program would start. Hopefully 2020. They are working on the entire 5-year plan. There was no motion for this agenda item only making a note for this to be included in the budget discussion. Mr. Frazier added previous council made a commitment to do what they could do for the downtown. The City started with \$15,000 in sidewalk commitments.

Employment Agreement:  
Interim City Manager

*Motion* by Mr. Gordon, *second* by Mr. Crouch, and carried unanimously to approve it as submitted by the City Solicitor.

**PUBLIC INPUT**

David Kennedy – Resident of West Mead Township

Spoke regarding something absolutely awesome and wonderful in Titusville that they took out parking meters. Also spoke regarding the wise decision Council made hiring Interim City Manager Neil Fratus, his experiences with Neil on the campaign, and his support for Neil to become the City Manager.

John Frye – 214 Overlook Drive

A member of the Crawford County Planning Commission, and as part of that spoke regarding the 2020 Census required every 10 years by the Constitution. He passed out a flyer and pointed out the two poorest areas from the last census were Meadville and Titusville. Each person not counted in the City costs \$2,000 each year of the 10 years. He requested the City put a flyer in with the water bills and for those looking for work consider joining the Census.

**PUBLIC INPUT  
CONTINUED**

Jim Elliott – 306 North Franklin Street

Questioned if eliminating the City's Facebook page eliminates the City's other Facebook pages and questioned how much revenue the City generates from TRA and any of the tenants they rent to. Mr. Peden invited Mr. Elliott to the next meeting where Council would have that information for him.

Jeff Huth – 752 East Main Street

Spoke regarding the vandalism at the buildings in Burgess Park and the need for cameras to catch the people who are doing it. (Activities Building and Pavilion 1 by the pond)

**COMMENTS BY COUNCIL**

Mr. Peden thanked Council and Mrs. Baker for working together to help set the food truck up at the vacant lot by City Hall. All in attendance were invited for Warner's goodies and coffee and to say hello to Neil.

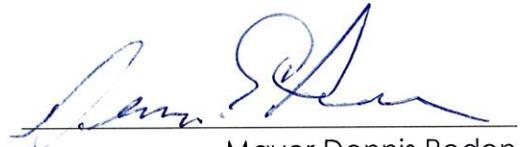
Someone in the audience asked if he Farmer's Market would be brought back in the Scheide Park. Mr. Peden confirmed Council talked to Renaissance and were informed that they have to talk to their vendors. It will be the vendor's choice and there are a lot of people that do not want it in Scheide Park.

**ADJOURNMENT**

*Motion by Mr. Frazier, second by Mr. Crouch, and carried unanimously adjourn the meeting at 9:16 p.m. followed by a budget work session.*

**APPROVED BY COUNCIL**

THIS 3<sup>rd</sup> DAY OF February, 2020



Mayor Dennis Peden

I hereby certify the foregoing to be a true and correct copy of the minutes of the Reorganization Meeting of City Council of January 20, 2020.



Diana A. Durstine  
Recording Secretary