



**CALL TO ORDER**

The regular 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.

**MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE**

A moment of silence was observed.  
Led by Mayor Peden

**ROLL CALL**

Mayor Dennis Peden, Deputy Mayor Jon Crouch, Councilman Don Frazier, Councilman Roger Gordon, and Councilman Jim Stromdahl were present.

**ADDITIONS OR CORRECTIONS  
TO THE AGENDA**

Mr. Crouch asked for IT to be added to the agenda. There was no motion or roll call.

**APPROVAL OF PREVIOUS  
MEETING MINUTES**

*Motion by Mr. Gordon, second by Mr. Crouch and carried unanimously to adopt with a correction to the very first line where it says the reorganization meeting, it was not the reorganization meeting it was a regular meeting.*

30 Year Employee  
Recognition/Retirement  
Kenneth L'Huillier  
2/4/1990 – 2/4/2020

Mr. Peden asked Ken L'Huillier to the front and read a proclamation he authored regarding Ken's past as a firefighter. Mr. Peden had the privilege of hiring Ken in 1990. Ken's wife of almost 35 years was also invited to the front. Mr. Crouch presented Ken a gift from the City for his years of service. Mr. Frazier expressed his appreciation for Ken's service and his appreciation for Ken as a gentleman especially during calls involving his mother. Mr. Stromdahl added he has known Ken for years and also appreciates his service. He congratulated Ken on his retirement. Mr. Gordon extended his personal appreciation for Ken's years of service to the City.

Fire & Police Pension Report

Mr. Peden asked Mark Mehlenbacher, Fire & Police Pension Plan Administrator of 15+ years to report on the pensions after the meeting last Thursday. He provided spreadsheets for each plan that provide non-investment income numbers (MMO & employee contributions) and Payments to retirees and investment expenses from 2012 to 2019. Investment market value was discussed from 2008, the last big correction through 2019. Benchmarks (a measure of investment advisors doing their job) and averages for the number of retirees and average monthly benefits were also discussed. The Fire Pension Plan is about 70% funded according the January 1<sup>st</sup> Actuarial report. The only statistics he can find are the Pennsylvania pension plan from 2016 which were on the average of 65% funded. The 30% underfunded plan is about \$1.3 million dollars. He discussed what the actuary does with this number to calculate the MMO. Investment performance is a big part of the calculation.

The fund has grown from \$1,937,415 in 2008 to \$3,680,665 in 2019 even though expenses have been over non-investment income each year since 2008. He discussed how the benchmark is set for the plans at Mr. Peden's request and how each plan investment advisor must follow an Investment Policy.

Fire & Police Pension Report  
Continued

Distress levels were discussed along with remedies that get mandated the more distressed the level becomes. Questions asked what the actual percentage would be without the City's contribution and how to get this to go in the right direction: labor negotiations, consistent market returns, higher than calculated MMOs were all discussed, as well as, retirement at age 40 vs. 65+.

Council was provided with copies of the plan documents and the main benefit differences between the documents were discussed. Surviving Spouses and distribution amounts were also discussed.

The Police Plan is 68% or \$2.6 million underfunded.

**PUBLIC PARTICIPATION  
PERTAINING TO  
AGENDA ITEMS**

James Elliott – 306 North Franklin Street

Questioned how old Ken L'Huillier was when he retired. Mr. Peden had stated they didn't want any firefighters in their 60s. It was agreed Ken is in his 60s.

**MANAGER'S REPORT**

1. Diamond Street

Safety fence scaffolding and signage was installed on 1/30 for the safety of the public. He thanked Public Works and Tim Lorenz for working together and being able to get it put up quickly. Response from business owners was fantastic. No one had a complaint about it. Everyone was glad something went up. No complaints on two of the parking spots being taken away.

2. Fire Department Renovation

Meeting 1/29 at City Hall. Status was discussed. The contractor discussed that is was an approximate three weeks left in the project and they anticipate it to be done. The nice weather has helped getting things done quicker. Mr. Crouch asked if the project was on time. Mrs. Durstine added original was 2 weeks to have it under cover which was delayed by trusses and weather.

3. Senior Center Lease Agreement

A brief overview of the meeting was provided to Council. The existing lease and some of the concerns they have were discussed. Mr. Peden commented it was nice they wanted to negotiate rather than move. He thought they wanted a \$1,000 reduction. He has no problem with what they want to do. Mr. Fratus has a call in to the current cleaning lady that does City Hall and the Police Department to see what her options are. Tennis Team use of the rest room needs to be discussed with the School District.

Senior Center Lease Agreement

Council agreed to put the agreement on the agenda for a vote.

*Motion by Mr. Gordon, second by Mr. Stromdahl and carried unanimously to enter in to the agreement as written by the City Solicitor and agreed to by the Senior Center.*

Mr. Peden clarified what Council is agreeing to is \$1,000.00/month, the city will supply paper products, and 20 hours cleaning per month.

4. City Auditor Felix & Gloekler Presentation – February 10<sup>th</sup>

They will provide Council and the public with a summary of the audit service they provide for the City and answer questions at the Work Session at 7pm.

5. Water Works

A quote was received today in the amount of \$11,600. Material \$7,100 labor is \$4,500. The Water Works is having problems with communicating with the pump station on Petroleum Street. The solution is to install an antenna on the top of Central Towers to transmit a radio signal to the Water Works from Petroleum Street. A test was done last Wednesday and came back with clear good communication. The work would be done by Hepler who is familiar with the set up and has done quite a bit of work at the Water Works.

The drive unit on pump one should be in next week. Installation will take two days and it will be up and running.

6. 2020 Professional Development Leadership Training

Topics included Emotional Intelligence, Ethics, Fiscal Management, Labor, Employment Essentials. It was very beneficial to hear all the information they provided. Networking with other City's was great.

*Motion by Mr. Frazier, second by Mr. Stromdahl and carried unanimously to accept the Manager's Report as submitted.*

**RATIFICATION OF BILL LISTINGS**

Manager Fratus discussed the tabled warrants from the last meeting with the Controller and there were no issues.

*Motion by Mr. Frazier, second by Mr. Crouch and carried unanimously to ratify the bill listings, 12/20 \$20,858.57, 12/27 \$70,696.66, 1/3 \$27,026.50, 1/10 \$748,004.19, and 1/17 \$112,741.44.*

**OLD BUSINESS**

*Board & Commission  
Appointments*

Six applications were received for the Airport Advisory Board. One re-appointment for the BOCA – Steve Burdick and one for the Civil Service Commission – John Frye.

*Motion by Mr. Stromdahl, second by Mr. Gordon and carried unanimously to appoint these two gentlemen.*

Mr. Peden added Council needs to get the Civil Service Commission together asap with Ken retiring the department is at a very low number of individuals. We need volunteers and need to get it advertised.

**NEW BUSINESS**

*Resolution No. 3 of 2020  
Repealing Resolution No. 15  
of 2014*

Mr. Peden let the audience know Council is allowing comments or questions on new business as they take them up.

The first Resolution anybody wishing to have a special event in the City of Titusville will come before City Council for approval. This takes the total responsibility of the Manager's office and he believes most organizations will welcome the PR coming before Council and making their case.

*Motion by Mr. Crouch, second by Mr. Gordon to adopt Resolution No. 3 of 2020, vote as follows:*

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE, CRAWFORD COUNTY, PENNSYLVANIA, REPEALING RESOLUTION NO. 15 of 2014 – DESIGNATING THE CITY MANAGER TO APPROVE OR DISAPPROVE SPECIAL EVENT AND OTHER PERMITS FOR THE USE OF THE CITY'S PARKS AND RECREATIONAL FACILITIES.

Mr. Stromdahl stated he would hate to see Council micro-manage this. For convenience for the public, City Hall is open every day all day long and the City Manager is very capable of handling this. If he safety concerns or anything like that he has the ability to check with department heads.

Mr. Frazier added it was set up that some of these came up days in advance and it was expedient to address those, as well as, if the Manager needed to look in to it with departments.

Mr. Peden said they met with a lot of organizations and one of the biggest issues was there was conflicts with City Hall and getting their special events taken care of and so on. In his opinion this takes the responsibility out of one individual.

Resolution No.4 of 2020  
Creating the Airport Advisory  
Board

Mr. Gordon asked if there was currently any requirement that an application be made so many days in advance. Mrs. Durstine responded 60 days.

Mr. Crouch questioned if it used to be this way to which Mr. Peden clarified that is has gone back and forth a lot.

This is the resolution creating the board overseeing the Titusville Airport. Mr. Frazier pointed out FAA is Federal Aviation Administration not Authority. He went on to say Council talked about seven members with one council person. In number three he is unsure how you could pick a council member for a term of five years. Mr. Crouch stated it is seven members plus a councilperson. Mr. Frazier pointed out that is not what it says. After discussion it was agreed the board would be eight members plus one council member. Mr. Winkler was good with the changes that needed to be made.

Mr. Frazier asked if the City would put something out and take and advertise to see if we can get more candidates if we can.

Mr. Crouch didn't think that they need to since they already have been doing this since they started a few weeks ago. We already basically got seven applicants. He doesn't see why they need to do more.

Mr. Frazier added City residency is not a requirement and he's not sure that everyone reads the paper or if they come to meetings.

Larry Emerson – 120 West Walnut Street

Requested Mr. Peden read the entire Resolution for the audience.

Mr. Crouch thinks this is one of the things Council can do to heal the relationships in the City. When he was running for City Council this was a big deal for residents in the City. Sometimes things are what they seem and maybe not what actually happened, but it seems like we had somewhat of a hostile takeover of the airport. He does not think Council should delay putting this board together for months on end.

Mr. Gordon added that just from a matter of due process that it is inappropriate to form a board and appoint members to it in the same meeting. He thinks Council needs to have the opportunity legally to advertise.

Motion by Mr. Crouch, second by Mr. Gordon to accept the Resolution No. 4 of 2020, with the corrections made to item #2, item #3 and item #4, vote as follows:

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

PUBLIC INPUT

After the vote, Mr. Gordon stated there needs to be some period of open advertising and appointments can't be made at a Work Session. It was discussed and decided since the next vote meeting is the 17<sup>th</sup> the 14<sup>th</sup> would be the last day to accept applications. Mr. Gordon recommended the Interim City Manager review the applications and make recommendations to Council. Advertising would be in The Derrick, The Meadville Tribune, and the Herald.

James Elliott – 306 North Franklin Street

Questioned if the Mayor ever found out the tax dollars TRA pays to the City. Mr. Peden asked Mr. Fratus to get the information to Mr. Elliott tomorrow.

Resolution No. 5 of 2020  
Authorizing TRA to Administer  
CDBG Funds on Behalf of the  
City

Motion by Mr. Gordon, second by Mr. Crouch to adopt Resolution No. 5 of 2020 Authorizing TRA to Administer CDBG Funds on Behalf of the City, vote as follows:

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

Mr. Stromdahl spoke regarding his concern of their manpower and asked if they have the people to do it. Mr. Crouch said they indicated to council that they did. Mr. Gordon said for 50 years they were able to handle it. They will have to do what they need to do. Mr. Frazier losing \$52,000 is not the way to go.

Resolution No. 6 of 2020  
TRA Cooperation Agreement

Mr. Peden read the Resolution in its entirety.

Motion by Mr. Gordon, second by Mr. Crouch to adopt Resolution No. 6 of 2020 and approve the Cooperation Agreement with TRA, [amended] to authorize and approve the agreement subject to the City Manager and Solicitor finalizing it with TRA [amended again] to have termination and the timeframe for termination set by the Solicitor and City Manager, [amended a third time] to include the 2018-2019-2020 monies and going forward, vote as follows:

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

Solicitor Winkler had a couple of points on the form of the agreement. He didn't think it was clear whether any of the previous programs that TRA would be taking over if they would close them out and finish whatever has to be done for prior years. The other thing he thought needed consideration was a mechanism to terminate if this council or some future council should decide to go a different direction.

Mr. Frazier confirmed this would be for 2019 CDBG funds. Mrs. Durstine added 2018 money would also go to the Redevelopment Authority for the portion for Clearance and Demolition. There would

not be a clean break in the years because if we want to use the 2018 demolition money for the Diamond Street property, it isn't enough for that and the city would have to combine it with future years. To keep it hanging with the City would not make sense. They could utilize it for something else. The agreement should be for 2018-2019-2020 CDBG money. TRA had started the process for the 2016 application and then the City submitted that application.

Mr. Gordon questioned whether there would be project admin monies carried back to TRA would there also be a portion of the 18%.

Mrs. Durstine added for future years TRA would control that. For 2018, the previous Council already voted to put the admin money toward the Fire Department project so there would not be admin money for 2018.

Interim City Manager Fratus had the chance to meet with Rick Vilello, the Deputy Secretary for the DCED, Department of Community and Economic Development. He can provide the City an operational review of compliance, operations, and finances. He would like Council to give him permission to have a representative from DCED make a presentation regarding what they can do and options for the City for an independent review.

Mr. Gordon, Mr. Crouch, and Mr. Fratus attending training over the weekend where the Deputy Secretary suggested this program because the State would cover half of the cost. Any recommendations they come up with the State would then cover 50% of the cost of implementing those changes. Mr. Gordon also had Solicitor Winkler put together a Resolution that would move this forward.

*Motion by Mr. Gordon, second by Mr. Crouch and carried unanimously to authorize the City Manager to schedule a presentation at the earliest convenience of the Department.*

Mr. Gordon commented there really isn't anything on this to discuss. He passed out a framework for ideas for an agreement that he would ask the Council to authorize the Solicitor to formalize and if anyone finds anything to add to it to do so. This is getting all of the players in making the City function to come together in agreement for one another on projects rather than be competing with one another. Discuss at next work session.

No formal vote but tabled until next meeting.

Mr. Peden read the highlights of the agreement. He questioned why the City does not have a charge for an 8" meter. He suggested we pull out our meter charges and re-evaluate them and if there are meters that we are not charging right look at them and if there are

Operational Audit

Titusville Non-Profit / Intergovernmental Agreement

Resolution of Recognized Organizations

Oil Creek Township Bulk Water Agreement

ones we are look at those.

Mr. Frazier confirmed this is the same agreement as before.

Mr. Fratus will have the Public Works Director look in to the meter size question.

James Elliott – 306 North Franklin Street

Questioned the readiness to serve charge for a 6" meter. And three years ago when council did the agreement what was the size that was going to be put in their originally. Mr. Frazier confirmed it was an 8" meter pit and there was an agreement/resolution to not charge the readiness to serve charge for the first year.

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

Mr. Crouch asked IT put on the agenda for the evening. Once of the big issues that came up at the two day conference he recently attended was social media, elected officials, and how lives change when we become public servants. How we have to watch what we put out on social media and email, etc. He asked the Solicitor if he had a copy of the letter he sent to the Former Mayor about her Facebook page that says Mayor of Titusville. Solicitor Winkler stated he went and saw her in person. He added does not go on social media. His understanding was the reference to Mayor would be changed to Former Mayor. Mr. Crouch added it is still based off of the City's Facebook page. Mr. Winkler said he did not know what that means. Mr. Crouch said if someone sends a message to that page it sends that message to 107 North Franklin Street. Next question who is the IT person for the City of Titusville: Mr. Fratus answered Diana. Does the City of Titusville have a policy on archiving emails? Mr. Fratus was not sure. Mr. Crouch went on to say the City should have an outside entity archiving all emails. They should not be deleted because that can get us all in trouble. He asked who are the administrators of the City of Titusville .gov page? Mrs. Durstine answered just her. Mr. Crouch said so as of right now we have one person that is our IT point person. He went on, if he is hearing Diana correctly we do not have a policy to archive any emails for the City so all of the emails of the previous administration that might be referring to new council members could all be deleted tonight because Diana is the IT person if she wanted to. Mrs. Durstine stated she could not delete them. She could remove an account, but you have email on your cell phone, so now a copy is on your cell phone, if you open it up on your computer it's on your computer. Things are not archived to the email server for more than 7 days. There is not nearly enough space on what we have now. Mr. Crouch added this needs to be changed and Mr. Gordon added it is a violation of State and Federal law. So if one our former manager's wrote an illegal email, now that email is gone because it is only on the server for 7 days. That's a pretty sweet deal, its' wrong and illegal. He would like Council to come up with some kind of a policy

PUBLIC INPUT

IT

Larry Emerson – 120 West Walnut Street

Congratulated Council on their quickness on the safety and health issue on Diamond Street. He added. It was immediate. He also brought up another health and safety issue of the sidewalks in town not being shoveled and always being the same people. There was no further discussion.

James Elliott – 306 North Franklin Street

Questioned if Council knows what is required for a Right to Know Request. What information that the City has would require a Right to Know Request. Solicitor Winkler commented anything the City has unless it is exempted by the law. The law presumes it's open unless it falls in one of the categories that are no open. Mr. Elliott went on to question the meeting audio. Prior to 2020 in order to get the meeting audio you needed a Right to Know Request. Now he sees there is four meeting audios out there and he didn't see any Right to Know Requests filed on the City's site. Mr. Crouch asked if Mr. Elliott was complimenting the change. Mr. Elliott went on to say he likes the change if that is what it is. He was told he needed to file a Right to Know request for TRA taxes and he didn't think he should have to. As a general rule, Mr. Winkler stated if you want information from the City you file a Right to Know Request. Mr. Gordon thinks if policy changes need made to allow more latitude the Solicitor and Manager should consult together to make it as freely available as the City is legally allowed. Mr. Crouch added someone brought something to him regarding Requests being visible on the website and if information could be blackened out to prevent people from contacting requestors.

**REVIEW OF MEETING MINUTES**

Mr. Gordon complimented Mrs. Durstine on the detail in the minutes from the last meeting. There was more meeting notes from the last meeting then there has been for the last year. He likes it and thinks that's the way it should be. As long as that is the kind of minutes they are getting there is no need to review the same meeting at the end of the meeting. He went on to say, even though the audio is there it is never part of the permanent record.

**COMMENTS BY MAYOR AND COUNCIL**

Mr. Peden asked Mr. Fratus to meet with Terry Kerr and try to get the next City Council Work Session set up for Central Towers.

The Work Session on Monday, is going to have the auditors here and they are going to open it up to the public. Council is in the beginning stages of setting up short and long range goals and they want to include what the public and organizations may want to see in the community so it can be included in the City's plan of action in the next 2-5 years.

**CITY OF TITUSVILLE**

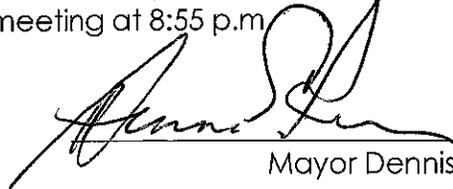
City Council Meeting Proceedings **February 3, 2020**

**ADJOURNMENT**

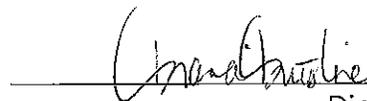
Motion by Mr. Stromdahl, second by Mr. Crouch, and carried unanimously to adjourn the meeting at 8:55 p.m.

**APPROVED BY COUNCIL**

THIS 17<sup>th</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 February 3, 2020.

  
\_\_\_\_\_  
Diana A. Durstine  
Recording Secretary