



# CITY OF TITUSVILLE

## City Council Meeting Proceedings July 21, 2020

<b>CALL TO ORDER</b>	Mayor Peden called the Regular Meeting to order at Scheide Park.
<b>INVOCATION</b>	Moment of silence.
<b>PLEDGE OF ALLEGIANCE</b>	Led by Mayor Peden.
<b>ROLL CALL</b>	Mayor Peden, Deputy Mayor Crouch, Councilwoman Jones and Councilman McCrillis. (Councilman Witosky excused for vacation)
<b>ADDITIONS OR CORRECTIONS TO AGENDA</b>	None. Mayor Peden welcomed Sara Jones to her first meeting.
<b>APPOINTMENTS TO BOARDS/AUTHORITIES</b>	Zoning Hearing Board – James Elliott and Bonnie Hull  <i>Motion by Mr. Crouch, second by Mr. McCrillis and carried unanimously to appoint James Elliott and Bonnie Hull to the Zoning Hearing Board.</i>
<b>APPROVAL OF PREVIOUS MEETING MINUTES</b>	Minutes from June 22, 2020. Mr. Peden asked the minutes be corrected to reflect that he was not in attendance at that meeting because he was out of town and had been excused.  <i>Motion by Mr. McCrillis, second by Mr. Crouch to accept the minutes as amended and place on file. Vote as follows:</i>  Mrs. Jones, Mr. McCrillis, Mr. Crouch – Yes Mr. Peden - Abstain
<b>OPERATIONAL REPORTS DEPARTMENTAL REPORTS</b>	Building Inspector, Finance, Fire, Police, Public Works, Water, Wastewater, and Treasurer's monthly reports for June 2020. Mr. McCrillis asked about the status of the audit. City Manager said it should be wrapped up in the next few weeks.  <i>Motion by Mr. McCrillis, second by Mrs. Jones and carried unanimously to accept the departmental reports as submitted and place on file.</i>
<b>MANAGER'S REPORT</b>	City Manager Neil Fratus reported on the following : Diamond Street demolition is in progress, the archways will remain; Michael Crawford property is being sold and the other properties on Bank Street have been looked at but are not in a condemnable state yet, he has talked to the owner and is working with him; Building Inspector position; International Property Maintenance Code; advertising for Police/Fire civil service process; Council meeting at Towne Square on August 4.  No vote taken.  Mr. Peden stated they will make the second and fourth Tuesdays during the summer a Meet and Greet with the public at different locations that will be advertised and keep the Council meetings at

	Towne Square.
<b>MINUTES OF BOARDS/AUTHORITIES</b>	Titusville Housing Authority – June 16  <i>Motion by Mrs. Jones, second by Mr. Crouch and carried unanimously to accept the minutes of the Titusville Housing Authority as submitted.</i>
<b>COUNCIL COMMITTEE UPDATES</b>	Mr. Crouch – Airport Advisory Board – secured engineer for the paving project. Mr. Peden – monitoring employee hours worked in water and sewer that are paid out of general fund for transfer purposes. Will bill those funds as needed rather than do transfers.
<b>PUBLIC PARTICIPATION</b>	James Elliott – 306 N. Franklin St. – Will Council allow public comment after each topic rather than prior to? Mr. Peden was okay with public comment after a vote was taken on a matter if that is how citizens wished to do so.
<b>OLD BUSINESS</b> <b>BUSINESS LICENSE FEES AT THE MERC</b>	This had been previously discussed but not voted on. The Executive Director of TRA had requested the normal new business license fee of \$100 be reduced because of the nature of the businesses in the Merc.  <i>Motion by Mr. McCrillis, second by Mrs. Jones and carried unanimously to keep the first year business license fee at \$100 but allow businesses in the Merc to provide a Schedule C the following year for a refund or credit.</i>
<b>MORATORIUM ON CITY PROPERTY SALES</b>	The City has had inquiries on some of their properties of people wishing to purchase them. Some of the properties used CDBG to tear down houses and those years have not been closed out so cannot be sold unless the buyer wants to pay the demo fees which would be paid back to CDBG.  <i>Motion by Mr. Crouch, second by Mr. McCrillis and carried unanimously to lift the moratorium on sale of city property.</i>
<b>SECOND READING OF COUNCIL BILL NO. 2 OF 2020 – ABANDONED VEHICLES</b>	AN ORDINANCE OF THE CITY OF TITUSVILLE, PENNSYLVANIA PROHIBITING ABANDONED VEHICLES ON PUBLIC AND PRIVATE PROPERTY, HIGHWAYS, AND STREETS WITHIN THE CITY AND ESTABLISHING PENALTIES THEREFOR; PROVIDING POLICIES AND PROCEDURES FOR NOTICE TO OWNERS AND THE REMOVAL OF ABANDONED VEHICLES; PROVIDING FOR PAYMENT BY THE VEHICLE OWNER OF COSTS AND FEES OF VEHICLE REMOVAL; PROVIDING FOR THE APPEAL FROM A NOTICE RECEIVED FROM THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION RELATED TO ABANDONED VEHICLES; AND AMENDING ARTICLE 505 OF THE CODIFIED ORDINANCES OF THE CITY OF TITUSVILLE.  <i>Motion by Mr. McCrillis, second by Mrs. Jones and carried</i>

**NEW BUSINESS WITH PUBLIC PARTICIPATION**

unanimously to adopt Council Bill No. 2 of 2020 for Abandoned Vehicles.

Chad Covell – 19 S. Dillon Dr. – Special Event – Tournament  
John Frye – 214 Overlook Dr. – Shade Tree – waiving fees from property owners

**SPECIAL EVENT APPLICATIONS RELAY FOR LIFE**

American Cancer Society – Relay for Life Drive-thru Luminaria at Burgess Park on August 22.

*Motion by Mrs. Jones, second by Mr. Crouch and carried unanimously to approve the Relay for Life Special Event application.*

**MOVIES IN THE PARK**

Sarah Miller, Executive Director, Titusville Council on the Arts – Movies in the Park at Ed Myer Complex – July 31, August 7, 14, 21

*Motion by Mr. McCrillis, second by Mr. Crouch and carried unanimously to approve the Movies in the Park on the above dates.*

**OIL REGION BASEBALL TOURNAMENT**

Chad Covell – Oil Region Baseball Tournament at Ed Myer Complex and/or Cytemp Field, August 7-9

*Motion by Mrs. Jones, second by Mr. Crouch and carried unanimously to approve the Oil Region Baseball Tournament.*

**RESOLUTION NO. 22 OF 2020-CDBG REVISION FOR FY 2019**

A RESOLUTION OF THE CITY OF TITUSVILLE, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE SUBMISSION OF REVISION TO THE FY 2019 CDBG PROGRAM TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR CHANGES TO THE FUNDING AMOUNT OF PROJECTS WITHIN THAT PROGRAM.

*Motion by Mr. McCrillis, second by Mrs. Jones and carried unanimously to approve Resolution No. 22 of 2020 to change FY 2019 CDBG funds.*

This resolution moves funds from CDBG FY2019 Pedestrian Bridge Project of \$10,299.25 to the CDBG FY2018 Fire Station Renovation Project and from CDBG FY2019 Administration in the amount of \$4,222.00 to CDBG FY2019 Demolition.

**CDBG CITIZEN PARTICIPATION PLAN**

Public hearings for CDBG funds – since moving administration to the County this needs approved.

*Motion by Mr. Crouch, second by Mrs. Jones and carried unanimously to approve the County Citizen Participation Plan for CDBG Program.*

**FIRST READING OF COUNCIL BILL NO. 3 OF 2020 – FIRE**

AN ORDINANCE OF THE CITY OF TITUSVILLE, PENNSYLVANIA AMENDING ARTICLE 123 OF THE CODIFIED ORDINANCES OF THE

## ESCROW ACCOUNT REVISION

## CITY OF TITUSVILLE TO REMOVE THE CITY SOLICITOR AS A SIGNATORY TO THE FIRE ESCROW FUND.

Currently the Solicitor is a signer on the escrow account by ordinance but rules of professional conduct make this a sticky situation. He should not be signing checks on accounts that are not his. The City will still consult with the Solicitor to sign off on those funds being released.

*Motion by Mr. McCrillis, second by Mrs. Jones and carried unanimously to approve Council Bill No. 3 of 2020 – Fire Escrow Account Revision upon first reading.*

## SHADE TREE

James Elliott – question for John Frye – You stated that you didn't want to eliminate the fees to property owners because then everyone would want trees cut down, but whose decision is it to take the trees down? The Shade Tree Commission decides. So not everyone would have their trees taken down if the Commission is still deciding that. Mr. Frye said he didn't want to have to visit 100 homes to check trees.

Mr. Peden had asked the Solicitor to look at the ordinance regarding Shade Tree concerning trimming and take down of trees. The Shade Tree Commission cannot charge the property owner if the Commission had planted the tree in the first place unless it was over 30 years old. Mr. Peden feels this is just a nuisance tax and the Solicitor recommends not liening properties for under \$500 so if the property owner doesn't pay the property can't be liened and the City is out the money anyway. He feels the City should give the Shade Tree Commission enough money to do the job they need to do without charging residents.

Mr. Crouch asked if residents are told before they get a bill that the tree needs to come down. Mr. Frye had delivered letters to those in town and mailed letters to out-of-town owners.

Mr. Peden asked how they determined the price. Mr. Frye said that is set by ordinance that the homeowner pays half with a max of \$300.

Darlene Frazier – 206 W. Elm St. – for that amount they get the tree taken down, the stump ground, and everything removed and the hole filled and a new tree if they want. The property owner has the option to take the wood. She had a suggestion in regard to storms and trees that come down, perhaps the City could create an emergency fund to cover these types of incidents.

City Manager Neil Fratus asked if the Shade Tree Commission drove City vehicles to do their trimming and if a Public Works employee accompanied them. They do drive them but no employee accompanies them. The City needs to add those people driving to the Insurance policy and it is limited to members on the board.

*Motion by Mr. Crouch, second by Mr. McCrillis and carried*

unanimously to table this discussion until a meeting with the City Manager and members of Council and Shade Tree had taken place to discuss issues.

James Elliott asked if the Shade Tree kept records because those could be used to assist the City in determining how many emergencies occur. Some records are kept but they aren't complete.

**RESOLUTION NO. 23 OF 2020 –  
SHADE TREE BOARD OF  
APPEALS**

BE IT RESOLVED, BY AUTHORITY OF THE CITY COUNCIL OF THE CITY OF TITUSVILLE, PENNSYLVANIA, CRAWFORD COUNTY, AND IT IS HEREBY RESOLVED THAT THE TITUSVILLE CITY COUNCIL DESIGNATES JON CROUCH, SARA JONES, AND WILLIAM MCCRILLIS AS THE SHADE TREE BOARD OF APPEALS. EACH MEMBER SHALL HOLD A TWO-YEAR TERM.

*Motion by Mrs. Jones, second by Mr. McCrillis and carried unanimously to approve Resolution No. 23 of 2020 naming the Shade Tree Board of Appeals.*

**BUILDING INSPECTOR  
POSITION**

City Manager Neil Fratus presented Council with three different options for this position: Building Inspector/Code Enforcement, Deputy Fire Chief, and Part-time.

Mr. Peden had some concerns. If we had a firefighter doing code enforcement he would want them to be a firefighter in the union and code enforcement is a civil service process anyway. He also wondered how the community would go about getting building permits. Construction Code Inspectors do all our commercial permits now.

*Motion by Mr. McCrillis, second by Mrs. Jones and carried unanimously to table the discussion on the Building Inspector position until the City Manager can get clarification on the building permit issue.*

**PUBLIC INPUT**

John Frye – The Shade Tree Commission uses the Building Inspector for information on City right of ways where there are no sidewalks.

James Elliott – 306 N. Franklin St. – Could the Mayor reiterate for those watching the definition of abandoned vehicles. The Solicitor stated it has the same meaning as the term defined in the PA Motor Vehicle code. What is the description so the public knows what an abandoned vehicle is? The vehicle has been sitting for more than 48 hours on a public street illegally – no valid registration, inspection, VIN number or inoperative on any public property. Definition also includes those vehicles on private property but those have to be a threat to public safety.

**COMMENTS BY MAYOR AND  
COUNCIL**

Mr. McCrillis thanked everyone for participating in the meeting. Mr. Crouch said it was nice to see Missy and her dad there and also to see the Diamond Street building come down this week and to have Missy's back open.

Mrs. Jones hopes to see participation no matter what location Council is in. Likes to see people in the community expressing concerns and taking part in meetings and what is happening. Mr. Peden stated he thought the meeting tonight was a good conversation between City government and one of their Commissions. He reiterated that the City has received \$193,000 in CDBG-CV funds and hope to get that money out to as many businesses and individuals as possible. City Manager showed some old items that were found at the demolition site.

**ADJOURNMENT**

Motion by Mrs. Jones, second by Mr. McCrillis and carried unanimously to adjourn at 8:21 p.m.

**APPROVED BY COUNCIL**

THIS 4<sup>th</sup> DAY OF Aug., 2020

  
\_\_\_\_\_  
Mayor Dennis Peden

I hereby certify the foregoing to be a true and correct copy of the minutes of the Meeting of City Council of July 21, 2020.

  
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Heather Stewart  
Recording Secretary