

**MINUTES  
COUNCIL MEETING  
7:00 PM**

**CITY OF OIL CITY  
COUNCIL CHAMBERS  
NOVEMBER 5, 2015**

Meeting called to order with the Pledge of Allegiance by Mrs. Crudo at 7:00 PM.

CALL TO ORDER

Members Present: Mayor Crudo, Councilman Bartlett, Councilman Gustafson, Councilman Dunham, Councilman Poff

ROLL CALL

Members Absent: None

Recording Secretary: Jena Knight

**APPROVAL OF MINUTES**

The minutes of the meeting of October 22, 2015 were reviewed and Councilman Bartlett wished to add something to his comments regarding the LED lighting which was discussed. He indicated that he stated that, in no case should the new LED lights' wattage be higher than what is currently in place.

APPROVAL OF  
MINUTES – REGULAR  
MEETING – OCTOBER  
22, 2015

A motion to approve the minutes of the meeting of Council held October 22, 2015 with the above-referenced addition was made by Council Dunham, seconded by Councilman Gustafson and was approved.

**REVISION OF AGENDA**

**SCHOOL LIAISON REPORT**

**WRITTEN COMMUNICATIONS**

A letter from the First Church of God was received requesting use of Justus Park for their annual Easter Egg Hunt and Bike Give Away. It will take place on Saturday, March 19, 2016. They have done this in the past and it has been a success. Mayor Crudo asked if this request is recommended and Mr. Schroyer stated that it is. Mayor Crudo also questioned whether or not a certificate of insurance would be in order and the answer was yes.

REQUEST FROM FIRST  
CHURCH OF GOD –  
2016 EASTER EGG  
HUNT

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A motion to approve the use of Justus Park for the March 19, 2016 Easter Egg Hunt by the First Church of God was made by Councilman Dunham, seconded by Councilman Gustafson and was unanimously approved.

**MANAGER REPORTS**

Mr. Schroyer informed Council that the City has been notified by its current banking representatives that fees have been increased from zero to \$8,400 per month. This was a decision made at the corporate level of the bank. Consequently, the City has been in talks with another local bank in order to hopefully garner some good banking services along with lower fees. Banking fees are now inevitable no matter where you go. The fees at the bank in which talks are being held would be more along the lines of \$500-\$700 per month. Mr. Schroyer will keep Council updated as things progress.

**MANAGER REPORTS**

Mr. Schroyer also indicated that City Engineer Chris Sporer has been speaking with him regarding sewer tap fees. Currently the City is charging \$400.00 for a sewer tap. A study has been done and it appears that the City could charge upwards of \$4,000.00. Outlying communities are not paying fairly. An increase would impact new City construction. Mayor Crudo asked if we are getting the \$400.00 currently charged and the answer is yes and a permit is required for a sewer tap. Mr. Schroyer indicated that more discussion regarding this fee would ensue at the November 19 meeting. **\*\*\*Update – The City is in the process of updating the sewer tap study.\*\*\***

**CURRENT BUSINESS**

Mr. Schroyer wanted to update Council on the Robert Yoder/Graff Commons settlement issue. He indicated that several weeks ago a check was received from Mr. Yoder and was promptly deposited. City Solicitor Bob Varsek informed Council that the funds received were for the job on Graff Street which was contracted for and not completed. The settlement is being made in two parts, the first being in the real estate on Graff Street and the second in cash (already received).

**UPDATE ON ROBERT  
YODER/GRAFF  
COMMONS  
DEVELOPMENT**

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Solicitor Varsek indicated that four motions must be made and voted upon in order to complete the Graff Commons issue.

Mr. Varsek read the first motion which was that the City approve and enter into the Agreement and Release with Robert P. Yoder, Sr., Graff Commons Associates, LP and Susquehanna Valley Development Group, Inc. and the Agreement to donate affixed thereto as Exhibit "A."

A motion to approve this Agreement and Release was made by Councilman Bartlett, seconded by Councilman Gustafson and was unanimously approved.

Mr. Varsek read the second motion which was to authorize and direct the Mayor and City Clerk to execute and bind the City to the Agreement and Release and any other documents and instruments necessary to complete the terms of the Agreement and Release and to accept and receive the consideration called for in the Agreement and Release.

A motion to approve this Authorization and Direction was made by Councilman Dunham, seconded by Councilman Bartlett and was unanimously approved.

Mr. Varsek read the third motion which was to authorize and direct the discontinuance with prejudice of legal proceedings in the Venango County Court of Common Pleas initiated by the City against Robert P. Yoder, Sr., Graff Commons Associates, LP and Susquehanna Valley Development Group, Inc.

A motion to approve this Authorization and Direction of the discontinuance was made by Councilman Dunham, seconded by Councilman Bartlett and was unanimously approved.

Mr. Varsek read the fourth motion which was to authorize and direct the release and payment of such funds necessary to discontinue the legal proceedings and to record all instruments of conveyance called for in the Agreement and Release.

A motion to approve this Authorization and Direction was made by Councilman Gustafson, seconded by Councilman

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Dunham and was unanimously approved.

Next was a discussion regarding the transfer of \$50,000.00 of Oil City-administered, Library-owned funds to the Library. Mr. Schroyer indicated that, with the divestiture of the library from the City, the library will need to have some "start-up" funds to begin its operations. A transfer of \$50,000.00 will be made to the library from its books and materials funds for this purpose.

DISCUSSION  
REGARDING  
TRANSFER OF  
\$50,000.00 FROM OIL  
CITY-ADMINISTERED,  
LIBRARY-OWNED  
FUNDS

A motion to approve this transfer was made by Councilman Bartlett, seconded by Councilman Gustafson and was unanimously approved.

**FISCAL, CONTRACTUAL, AND BUDGETARY  
TRANSFERS**

The Library Divestiture Agreement was discussed and City Solicitor Varsek presented an agreement whereby the City desires to cease operation of the Library as a department of the City, but is willing to make certain conveyances, transfers and commitments to secure the continued operation of the Library. The agreement ensures that, effective January 1, 2016, the City shall convey all of its right, title and interest, free and clear of any and all liens in the property having the address of 2 Central Avenue, Oil City, PA. The Oil Region Library Association will pay to the City the sum of \$1.00 for the building. If the City is unable to legally convey the building to ORLA on or before January 1, 2016, the City and ORLA will enter into a lease agreement granting ORLA exclusive use of the building for operation of the library with an annual rental rate of \$1.00 until such time as a deed can be conveyed to ORLA.

LIBRARY  
DIVESTITURE  
AGREEMENT

Effective January 1, 2016, the City shall convey all of its right, title and interest, free and clear of any and all liens, in the entire library collection. As consideration for the purchase of the library assets, ORLA will pay \$1.00 to the City.

The City will furnish to ORLA all software licenses, service contracts, other contracts pertaining to the library building, assets or operation of the library on which the City is obligated or in which the City has rights.

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The City and ORLA agree and acknowledge that the library building and assets are being transferred and conveyed in an "As is, Where is" condition.

The parties acknowledge (a) the public interest in the perpetual existence of an operating public library in the City and (b) the City's reversionary interest in the library building and assets. To that end, ORLA shall maintain and preserve in good condition and repair, subject to anticipated reasonable wear and tear, the library building and assets for the public's common enjoyment, use and benefit. ORLA shall insure the library building and assets for fire and extended coverage in an amount equal to their full replacement values.

The City shall transfer all of the funds currently held by the City for the purpose of operating the library. The City shall not deplete, transfer, lien or otherwise expend cash except in the ordinary and normal course of library operations occurring prior to January 1, 2016.

The City will provide ORLA with annual financial support at scheduled amounts not less than: \$287,746 in 2016, \$241,746 in 2017 and \$195,746 in 2018. Payments shall be in equal quarterly installments. Beginning January 1, 2018 and not later than March 31, 2018, the City and ORLA will meet to discuss and consider a minimum funding schedule for the following three years for City approval no later than June 30, 2018.

City Solicitor Varsek indicated that it has taken one to one and one-half years to complete the project of the divestiture. He indicated that, according to the Third Class City Code, a resolution is required to finalize the agreement.

A motion to approve the divestiture agreement was made by Councilman Bartlett, seconded by Councilman Dunham and was unanimously approved.

The following Vouchers were presented for Council's review and approval:

Library Books & Materials	\$ 2,585.40
Oil Creek District Library	2,688.85

**VOUCHERS**

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General Fund	1,037,851.75
Water & Sewer Account	304,026.41
Investment Account	540,000.00
Capital Reserve Account	155,363.17
Liquid Fuels Tax Fund	12,973.00
Arts Council	7,598.19
Payroll Account	81,283.54
Parking Revenue Account	12,350.00
Utility Deposit Escrow Account	172.75
Water & Sewer Projects	90,265.08
Small Communities Program	9,465.00
Industrial Park	6,897.37
Weed and Seed	79.90

A motion to approve the Vouchers as presented was made by Councilman Dunham, seconded by Councilman Poff and was unanimously approved.

The September 2015 financial reports were reviewed.

**SEPTEMBER 2015  
FINANCIAL REPORTS**

A motion to approve the reports was made by Councilman Bartlett, seconded by Councilman Dunham and were unanimously approved.

**RESOLUTIONS & ORDINANCES**

Resolution #2015-15 – Revising the Allocation of the 2016 General Municipal Pension System Aid to the City Pension Plans

**RESOLUTION 2015-15 –  
REVISING THE  
ALLOCATION OF THE  
2016 GENERAL  
MUNICIPAL PENSION  
SYSTEM AID TO THE  
CITY PENSION PLANS**

Mr. Schroyer informed Council that an actuarial study is done every two years and the City's just came in. It appears that the City will not need to fund the plans quite as much as originally thought and a recalculation was done and funds reallocated. The MMOs need to be resubmitted to the Commonwealth. There still will be a commitment from the City but not as large as first thought.

A motion to approve Resolution #2015-15 was made by Councilman Dunham, seconded by Councilman Gustafson and was unanimously approved.

Resolution #2015-16 – Approving the Divestiture and Sale of the City Library and Related Real Estate and Assets.

**RESOLUTION 2015-16 –  
APPROVING THE  
DIVESTITURE AND**

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Library Director Dan Flaherty thanked the City for its efforts in assisting in the divestiture. Councilman Poff thanked the library staff for their sacrifice during this difficult time. Councilman Poff would like to publicly thank the employees. Councilman Gustafson indicated that the City leaders have every confidence in ORLA and Dan Flaherty and are hopeful that he will continue in the director's position. Councilman Gustafson praised Mr. Flaherty for all of his work at the library. Councilman Gustafson feels that with this divestiture the library will be open for decades more than if it was still a department of the City.

**SALE OF THE CITY  
LIBRARY AND  
RELATED REAL  
ESTATE AND ASSETS**

A motion to approve Resolution #2015-16 was made by Councilman Bartlett, seconded by Councilman Dunham and was unanimously approved.

**PUBLIC COMMENTS**

Mayor Crudo congratulated Bill Moon on his win as the new Mayor of the City. She offered any help that she can give him between now and the end of the year in order to get acclimated with his new position.

**PUBLIC COMMENTS**

**CITY COUNCIL REPORTS/COMMENTS**

Mayor Crudo thanked John Deemer and the members of the fountain committee for all of their work with the fountain. The Mayor informed Council and the audience that the fountain has been covered for winter. She is impressed with the cover and winterization. It looks good. Howard Faunce of Public Works indicated that the work was done on October 31. Councilman Dunham, who is on the fountain committee, indicated that there was a group of 7 people who cleaned and covered the fountain. It took about three hours to do. He thanked all who participated. Mayor Crudo then praised the Oil City Garden Club for planting and maintaining the flowers, not only around the fountain, but throughout the City during the summer months. A public thank you goes out to them.

**COUNCIL  
REPORTS/COMMENTS**

Councilman Gustafson joined Mayor Crudo in congratulating Mr. Moon on his win as mayor. He looks forward to working with him over the next four years. He

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also expressed his gratitude to the voters for coming out to vote. He also said that he will do his best over the next four years as councilman.

Mr. Faunce had a comment about the work on the culvert on West First Street. Mealy Construction has been working on the project all week and decided that they would not work on November 6, but rather work a 16 hour day on November 9 and get all of the work wrapped up on that day. He indicated that there will be delays. Mr. Schroyer indicated how deep the dig is. Councilman Gustafson commented on the good weather they've had and Mayor Crudo echoed that and hopes that Monday's weather will hold out.

Councilman Poff questioned why the council meeting was not being televised. Mayor Crudo does not know and Councilman Poff hopes that this is something that can be rectified. Mr. Schroyer indicated that he had a call last week from Mark Heim from The Stream and he needs to get back to him. Councilman Bartlett thought that Councilman Dunham had some ideas regarding the PEG channel. Councilman Dunham then stated that he thought that a discussion regarding the PEG channel should take place at the November 19 Council meeting.

**EXECUTIVE SESSION**

An Executive Session was called at 6:00 p.m. to discuss personnel and legal matters.

**ADJOURNMENT**

There being no further business to come before Council, a motion to adjourn the meeting at 7:37 p.m. was made by Councilman Dunham, seconded by Councilman Gustafson. Motion approved.

**PERSONS IN ATTENDANCE**

Mark Schroyer, Staff  
Leah Nelson, Staff  
Dan Flaherty, Staff  
Howard Faunce, Staff  
Jason Herman, Staff

EXECUTIVE SESSION

ADJOURNMENT



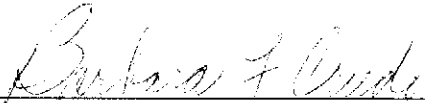
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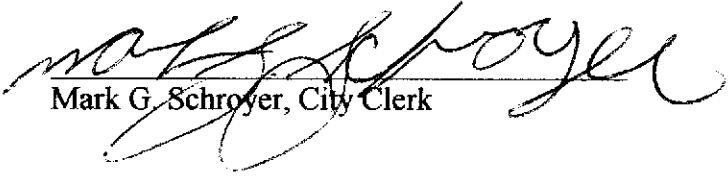
Steve Hinds, Staff  
Bob Wenner, Staff  
Chris Sporer, Staff  
Curt Greene, Staff  
Michelle Hoovler, Staff  
Saxon Daugherty, The Derrick  
Bill Moon  
Bill Hawkins  
Debbie Rosen  
Nancy Clemente

APPROVED BY COUNCIL THIS

19th DAY OF November, 2015

  
\_\_\_\_\_  
Barbara F. Crudo, Mayor

I hereby certify the foregoing to be a true and correct copy of the minutes of the Council meeting of November 5, 2015.

  
\_\_\_\_\_  
Mark G. Schroyer, City Clerk