

Work Session Meeting Minutes – January 5, 2023

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Thursday, January 5, 2023 @ 4 p.m.; Council convened at their regular Work Session with Mayor Walsh in the Chair. Other Council Members present were: Jim Aughenbaugh (by phone), Diane Bernardo, Shane Dietz, and Shannon Gabriel. Also present were: City Manager, John “Herm” Suplizio; City Engineer/Public Work Director, Chris Nasuti; Code Enforcement/Zoning Officer, Zac Lawhead; Public Works Superintendent, Scott Farrell; Police Chief, Blaine Clark; Deputy Treasurer, Tom Nowak; and Finance Officer, DeLean Shepherd.

Approval of Minutes

Review for Monday

Approval of Registry of Invoices

Review for Monday

Tabulation – 2023 Pool Building Improvements – (Recommendation Monday)
December 29, 2022

City of DuBois 2023 Pool Building Improvements

Hallstrom Construction, Inc.
101 E. Long Avenue
PO Box 648
DuBois, PA 15801

\$182,000.00

Dinsmore – Engagement Letter for Note Counsel Services – General Obligation Note, Series of 2023 - \$3,000,000

The motion was made by Gabriel and seconded by Dietz that Council appoint the Dinsmore & Shohl LLP as Note Counsel for the General Obligation Note, Series of 2023. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Resolution No. 2023-0361 – Appointing Professional & Reimbursement Declaration of the City Council of the City of DuBois

Review for Monday



RESOLUTION APPOINTING PROFESSIONALS AND REIMBURSEMENT DECLARATION A OF THE CITY
COUNCIL OF THE CITY OF DUBOIS
(CLEARFIELD COUNTY, PENNSYLVANIA)

Resolution No. 2023 - 0361

ADOPTED JANUARY 9, 2023

WHEREAS, the City of DuBois (the “City”) desires to finance various capital improvements to DuBois Memorial Park, including, but not limited to: (i) installation of a softball field, (ii) installation of a whiffle ball field, (iii) purchase and installation of playground equipment, (iv) swimming pool improvements and (v) parking lot expansion (collectively, the “Project”), through the issuance of a general obligation note (the “Project Note”);

Work Session Meeting Minutes – January 5, 2023 (Cont'd.)

Resolution No. 2023-0361 – Appointing Professional & Reimbursement Declaration of the City Council of the City of DuBois (Cont'd.)

WHEREAS, the City recognizes the need to authorize its officers and employees to cooperate with certain appointed professionals in connection with the structuring, securing and issuing the Project Note;

WHEREAS, Treasury Regulation §1.150-2 (the “Reimbursement Regulations”), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the “Code”) prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of “Bonds” under Section 150 of the Code (“Obligations”)—used to reimburse advances made for capital expenditures paid before the issuance of such Obligations—may be deemed “spent” for purposes of Sections 103 and 141 to 150 of the Code and, therefore, not subject to further requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require: (a) that the City make a declaration of official intent to reimburse any capital expenditure paid prior to the issuance of the Obligations intended to fund the same; (b) that such declaration of official intent be made no later than sixty (60) days after payment of the capital expenditure; and (c) that any reimbursement allocation of the proceeds of such Obligations to reimburse such capital expenditures occur no later than eighteen (18) months after the later of the date such capital expenditure was paid or the date the property acquired with the capital expenditure was placed in service, (provided, however, that any such reimbursement allocation must be made no later than three years after such capital expenditure was paid); and

WHEREAS, the City has already expended, or may soon expend, general operating and/or capital reserve funds for costs of a portion of the Project.

NOW, THEREFORE, be it resolved by the City Council of the City of DuBois as follows:

Section 1. Appointment. The City does hereby authorize its officers and agents to work with Dinsmore & Shohl LLP, as Note Counsel, in conjunction with the structuring, securing and issuing of the Project Note, with the understanding that final approval of a financing requires formal approval of City Council.

Section 2. Immediate Actions Required. The City does hereby authorize Dinsmore & Shohl LLP to (i) assist the City in the preparation of an request for proposals to purchase the Project Note to be issued by the City to banks and financial institutions selected by the City, (ii) prepare an ordinance authorizing the issuance of the Project Note and (iii) prepare the legal notices required pursuant to the Local Government Unit Debt Act. Further, the City does hereby authorize the City Manager to promptly circulate the request for proposals to purchase the Project Note to be issued by the City to banks and financial institutions selected by the City.

Section 3. Declaration of Official Intent. The City hereby declares, pursuant to the Reimbursement Regulations, its official intent to reimburse itself with the proceeds of tax-exempt Obligations in the reasonably estimated amount not to exceed \$1,000,000 for the purpose of Capital Expenditures for the Project which may occur prior to the issuance of the tax-exempt Obligations.

Section 4. Purpose and Effect of Resolution. The City Council hereby states and affirms that one purpose served in the adoption of this Resolution is to achieve full compliance with the Reimbursement Regulations, thereby preserving to itself the fullest array of financing options and opportunities; nothing stated or declared in this Resolution shall obligate or bind the City to undertake and complete the Project, in whole or in part.

AND SO IT IS DULY RESOLVED AND ADOPTED by the City Council of the City of DuBois, Clearfield County, Pennsylvania, in lawful session assembled on January 9, 2023.

Permit Parking – W. Scribner Lot

All spots are rented at the Elk Lot behind the former Tommy D's. The City Manager would like Council to think about if they want to permit West Scribner. Councilwoman Bernardo wants the City Crew to come up with a figure of how much it costs to maintain the parking lot.

Work Session Meeting Minutes – January 5, 2023 (Cont'd.)

Request authorization to pay Gabriel Fera, P.C. Invoice No. 1248 dated December 31, 2022 in the amount of \$6,645.50

The motion was made by Dietz and seconded by Gabriel that Council authorize paying the Gabriel Fera P. C. Invoice No. 1248 dated December 31, 2022 in the amount of \$6,645.50. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Request authorization to send out Request for Proposals for Auditing Services

We would like to make this a four-year contract so it ends when the City does. The motion was made by Gabriel and seconded by Dietz that Council authorize sending out Requests for Proposals for Auditing Services to cover years 2022, 2023, 2024 & 2025. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Gabriel, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

Police Chief Blaine Clark

Congratulated K-9 Officer, Zayne Rhed, who was sworn in today as a Special Deputy US Marshall in Johnstown, PA. Clark went on to say that the State Police and Clarion have been utilizing them more. 103 deployments since we got ACE. He feels it opens the door to federal resources, which will help the entire department.

Councilwoman Bernardo - Asked if the City Police get reimbursed when we help out other municipalities. Chief said not right now, but it definitely something to look into. Officer Rhed stated we don't charge because we don't want people to not call and put someone in danger or die if they can't afford the service. They then discussed when ACE will need to be replaced. Officer Rhed says we should start looking to replace Ace by 2025. The Chief went on record that he wants to expand the program and have more than one dog.

Councilman Jim Aughenbaugh – Congratulated Rhed.

Councilman Shane Dietz – Congratulated Rhed. He stated the waterline breaks were cleaned up very quickly by are City Crew, good job.

Councilwoman Shannon Gabriel - Stated that Breckenridge Police lost an officer. Congratulated Officer Rhed and stated that it is all due to his hard work.

City Manager John "Herm" Suplizio – Congratulations Zayne.

Mayor Edward Walsh – Congratulations Rhed

ATTEST:



APPROVED:

