

Public Hearing  
**Liquor License transfer from ARC of Clearfield  
to The Public House on Jared LLC  
September 25, 2023**

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, September 25, 2023, at 5:30 p.m.; Council convened as a Hearing Board to hear and receive comments, written and oral, reviews and have discussion on the proposed Liquor License transfer from ARC in Clearfield (Clearfield County) to The Public House on Jared LLC, 29 South Jared Street (Clearfield County). Mayor Walsh opened the meeting at 5:30 p.m. Other Council Members present were: James Aughenbaugh, Diane Bernardo, Shane Dietz, and Pat Reasinger. Also present were: City Solicitor, Toni Cherry; Interim City Manager/City Engineer/Public Works Director, Chris Nasuti; Public Works Superintendent, Scott Farrell; Code Enforcement/Zoning Officer, Zac Lawhead; Finance Officer, DeLean Shepherd; and Police Chief, Blaine Clark.

Mayor Walsh opened the public hearing at 5:30 p.m. and promptly turned the meeting over to City Solicitor Cherry.

Solicitor Cherry asked the Council for The Public House on Jared LLC, Mark Kozar, Flaherty & O'Hara, to come forward to present the request. Owners, Brian Withrow & Lyle Shaffer were also in attendance. Mr. Kozar introduced himself and the new business to City Council.

Pat Reasinger asked where the license is coming from? ARC of Clearfield—Pizza Hut

Mayor asked if there are sufficient parking spots? Yes, approximately 38

Mayor Walsh asked if anyone else had any questions. No one did.

Solicitor Cherry stated for the record the hearing has been properly advertised to satisfy all the requirements.

Mayor Walsh closed the Public Hearing at 5:38 p.m.

ATTEST: Becky Nooner                      APPROVED: C. Smith



## City Council Meeting Minutes – September 25, 2023

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, September 25, 2023, at 6 p.m.; Council convened at their regular City Council Meeting with Mayor Walsh in the Chair. Other Council Members present were James Aughenbaugh, Diane Bernardo, Shane Dietz and Pat Reasinger. Also present were City Solicitor, Toni Cherry; Interim City Manager/City Engineer/Public Works Director, Chris Nasuti; Public Works Superintendent, Scott Farrell; Redevelopment Authority Director/Assistant Public Works Superintendent, Joe Mitchell; Code Enforcement/Zoning Officer, Zac Lawhead; Finance Officer, DeLean Shepherd; and Police Chief, Blaine Clark.

The meeting was called to order at 6 p.m. and the Pledge of Allegiance was led by Mayor Walsh.

### Approval of Minutes

#### Public Hearing - 2023 CDBG - Minutes – September 11, 2023

The motion was made by Aughenbaugh and seconded by Dietz that Council approve the Public Hearing 2023 CDBG Minutes of September 11, 2023, as presented. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

#### City Council Meeting Minutes – September 11, 2023

The motion was made by Dietz and seconded by Reasinger that Council approve the City Council Meeting Minutes of September 11, 2023, as presented. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

#### Work Session Meeting Minutes – September 21, 2023

The motion was made by Aughenbaugh and seconded by Reasinger that Council approve the Work Session Meeting Minutes of September 21, 2023, as presented. Roll call was as follows: Bernardo, abstain; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, abstain. Motion passed 3-0.

### Registry of Invoices

The motion was made by Reasinger and seconded by Aughenbaugh that Council approve the Auto Draft Check Register by Check ID dated September 21, 2023, in the amount of \$14,906.81 and the General Fund Purchase Order Listing by Vendor Name dated September 21, 2023, in the amount of \$401,325.40 and the PennVEST draft in the amount of \$2,774,051.14 as presented by the Finance Officer. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### Public Comments

#### Greg Gillaugh – DuBois resident

Each fiscal year is there an audit plan prepared in conjunction with Council and Mayor and approved by City Controller? Mayor Walsh responded “yes.” “What kind of audits are being conducted? Are they compliance audits? Financial audits?” Nasuti replied that he wouldn’t be able to speak to what kind of audit, but we do advertise for an audit each year. He asked Shepherd what type of audit and she stated it is a financial audit performed each year.

#### Deb Mechling – Monroe St.

At the September 11 meeting, we learned that the 5% cable fee being paid to the City quarterly is approximately \$39,500 for yearly total \$158,116. I am curious as to what account these monies are placed in and are they earmarked this year for anything. Nasuti responded that the money is placed in General Fund for operating expenses.

### Approval of Municipal Transfer of Restaurant Liquor License from ARC of Clearfield to the Public House on Jared LLC

The motion was made by Aughenbaugh and seconded by Reasinger that Council approve the municipal transfer of liquor license from ARC of Clearfield to The Public House on Jared LLC. Roll call was as follows: Bernardo, yea; Aughenbaugh, abstain; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 3-0.

### Recommendation: Aggregates

#### **2023 Type AS3 Anti-Skid Material – Bucktail Excavators at \$27.12 per ton**

Aughenbaugh inquired if this rate was in conjunction with Sandy Township to get reduced rate and is this rate similar as last year’s? Nasuti confirmed that we did get rate in conjunction with the Township and that the rate is similar. The motion was made by Dietz and seconded by Aughenbaugh that Council accept the recommendation by Interim City Manager/City Engineer/Public Works Director Nasuti to award the 2023 Type AS3 Anti-Skid Material bid to Bucktail Excavators at \$27.12 per ton. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.



## **City Council Meeting Minutes – September 25, 2023 (Cont'd.)**

### **2023 Type A Sand Material – Woodland Equipment & Supply Co. at \$32.40 per ton**

Reasinger motioned and wanted to motion for the next two as well. Solicitor Cherry reminded them that each motion must specify the specific type of material for each motion as we had a lawsuit in the past on this detail. The motion was made by Reasinger and seconded by Aughenbaugh that Council accept the recommendation by Interim City Manager/City Engineer/Public Works Director Nasuti to award the 2023 Type A Sand Material bid to Woodland Equipment & Supply Co. at \$32.40 per ton. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **2023 Type A Limestone 2A – Bucktail Excavators at \$20.97 per ton**

The motion was made by Reasinger and seconded by Aughenbaugh that Council accept the recommendation by Interim City Manager/City Engineer/Public Works Director Nasuti to award the 2023 Type A Limestone 2A bid to Bucktail Excavators at \$20.97 per ton. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **2023 AASHTO #8 - Bucktail Excavators at \$26.72 per ton**

The motion was made by Dietz and seconded by Aughenbaugh that Council accept the recommendation by Interim City Manager/City Engineer/Public Works Director Nasuti to award the 2023 AASHTO #8 to Bucktail Excavators bid at \$26.72 per ton. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **Request that Council appoint retired employee Michael Borrelli to the Pension Committee**

The motion was made by Bernardo and seconded by Dietz to appoint retired employee Michael Borrelli to the Pension Committee. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **Request approval of the City of DuBois Police Retirement Plan Financial Requirement and Minimum Municipal Obligation (MMO) for 2024 - \$551,248**

The motion was made by Reasinger and seconded by Aughenbaugh to fund the Police Retirement Plan Financial Requirement and Minimum Municipal Obligation for 2024 in amount of \$551,248. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **Request approval of the DuBois City Non-Uniformed Pension Plan Minimum Municipal Funding Obligation (MMO) for 2024 - \$766,266.**

The motion was made by Reasinger and seconded by Aughenbaugh to fund the DuBois City Non-Uniformed Pension Plan Minimum Municipal Funding Obligation (MMO) for 2024. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **Resolution No. 0370-2023 – Authorizing the Submission of 2023 CDBG Application**

Mitchell informed Council that the next three items are resolutions that need approval so we can submit our CDBG applications. The motion was made by Bernardo and seconded by Dietz that Council approve Resolution No. 0370-2023 Authorizing the Submission of 2023 CDBG Application. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **Resolution No. 0371-2023 – Statement of Goals in Compliance with the National Program for Minority and Women in Business Enterprise**

The motion was made by Bernardo and seconded by Aughenbaugh that Council approve Resolution No. 0371-2023 – Statement of Goals in Compliance with the National Program for Minority and Women in Business Enterprise. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **Resolution No. 0372-2023 - Fair Housing Resolution**

The motion was made by Bernardo and seconded by Reasinger that Council approve Resolution No. 0372-2023 – Fair Housing Resolution. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### **Trick or Treat Hours – Tuesday, October 31, 2023, at 6 PM-8 PM**

Nasuti stated that he coordinated the hours with Sandy Township and it will be approved at their next meeting. The motion was made by Aughenbaugh and seconded by Dietz that Council approve the 2023

## City Council Meeting Minutes – September 25, 2023 (Cont'd.)

Trick or Treat hours on Tuesday, October 31, 2023, at 6-8 PM. Roll call was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

### Bright the Night Event in City Park – Friday, November 24, 2023, at 6 PM

The motion was made by Aughenbaugh and seconded by Dietz that Council approve the Bright the Night Event in the City Park on Friday, November 24, 2023, at 6 PM.

### Introduction to newly appointed Executive Director of Downtown DuBois, Inc., Shirley Dahrouge

"Thank you and I look forward to working with everyone to keep enhancing and beautifying our downtown so it can grow and thrive." Nasuti also stated that if she needs help with anything, to please reach out to the City.

### Police Chief, Blaine Clark

I am concerned about the gambling/gaming machine businesses. Would like to see the stipulations to being open in the City limits be stringent. Currently, they are open 24 hours which can promote ill activity, etc. The newest one near the bank office, had people coming in and out of there even around 3:30 am, last Saturday night. It is just a haven for possible activity. I want to solicit the Council to make it hard on them to be in business. I'm not trying to get into everyone's business, but, I believe, for our community, it is probably not what we want.

### RDA Director/Assistant Public Works Superintendent, Joe Mitchell

"Welcome, Shirley. Look forward to working with you. She's already stopped in and connected so we are off to the right start. Welcome, and I know you'll do a great job."

### Councilman Jim Aughenbaugh

Welcome Shirley. You know you can always reach out to any of us.

### Councilman Shane Dietz

Best of luck to both Shirley and Public House on Jared Street

### Solicitor Toni Cherry

I have provided you with some sample ordinances for review. "I have one question to you, Chief. And, also Mr. Lawhead... are these machines PLCB? Or games of skill? And there is no alcohol being served?" "There is not supposed to be."

### Interim City Manager/City Engineer/Public Works Director, Chris Nasuti

Welcome to Public House and Shirley.

### Mayor Edward Walsh

Welcome to Shirley and Public House

### Adjourn

There being no further business to transact, the motion was made by Aughenbaugh and seconded by Bernardo that Council adjourn. Roll call vote was as follows: Bernardo, yea; Aughenbaugh, yea; Reasinger, yea; Dietz, yea; Walsh, yea. Motion passed 5-0.

ATTEST:



APPROVED:



