

City Council Meeting Minutes – July 22, 2024

City Council Chambers, City Building, 16 West Scribner Avenue, DuBois, Pennsylvania on Monday, July 22, 2024, at 6 p.m.; Council convened at their regular City Council Meeting with Mayor Pat Reasinger in the Chair. Other Council Members present were James Aughenbaugh (by phone), Shane Dietz (by phone), Elliot Gelfand, and Jennifer Jackson. Also present were: City Solicitor Associate, Matthew Gieg; City Manager, Shawn Arbaugh; Code Enforcement/Zoning Officer, Zac Lawhead; City Engineer, Mike Haynes; Interim Police Chief Shawn McCleary; and Administrative Secretary, Korbi Slocum.

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

Executive Session (legal and personnel issues)

Council met in Executive Session prior to tonight's meeting to discuss the legal aspects of the land swap, some employees' work hours, potential lease options and some other legal matters.

Public Comments on Agenda Items Only

None

Approval of Minutes

City Council Minutes – July 8, 2024

The motion was made by Gelfand and seconded by Jackson that Council approve the City Council Meeting Minutes of July 8, 2024, as presented. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

Registry of Invoices

The motion was made by Jackson and seconded by Gelfand to pay the Auto Draft Check Register by Check ID dated July 17, 2024, in the amount of \$57,430.88. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

The motion was made by Jackson and seconded by Gelfand to pay the General Fund Purchase Order Listing by Vendor Name dated July 18, 2024, in the amount of \$506,005.52. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

The motion was made by Gelfand and seconded by Jackson to pay the PennVEST Purchase Order Listing by Vendor Name dated July 17, 2024, in the amount of \$1,743,207.24. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

OLD BUSINESS

Resolution No. 2024-0380 – Employee Wages

This item has been tabled for several months. We are prepared to pass it at this time. The motion was made by Jackson and seconded by Gelfand to approve Resolution No. 2024-0380 – Employee Wages. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

[Due to the document's size, Resolution No. 2024-0380 is attached at the end of the minutes.]

NEW BUSINESS

Halloween Parade – Approval of Road Closure

Sonya Fetterhoff from Priority Media requested permission to close West Long Avenue from Shankle's parking lot to the intersection of West Long Avenue and Brady Street at 4:30 pm for the Community Halloween Parade on Thursday, October 31, 2024. The parade will start at 5:00 pm followed by Trick or Treat from 6:00-8:00 pm. This is an annual request. The request was made by Gelfand and seconded by Jackson to approve the road closure as requested. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

Orient Avenue – Closure Notice

The DuBois Area School District is seeking permission to close Orient Avenue from Division Street to School Mall Road between the hours of 2:35 pm – 2:50 pm daily when school is in session to accommodate bus release from the high school to avoid safety and accident issues. There will be a School Resource Officer available on site to assist. The Police Department has reviewed and approved the request. The motion was made by Jackson and seconded by Gelfand to approve the request to close Orient Avenue as presented. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

City Council Meeting Minutes – July 22, 2024 (continued)

Demolition – Approval to Seek Quotes

The purpose of this item is to seek quotes on two structures – 115 ½ S. Highland Street and 133 South Brady Street – that are both in deplorable conditions. This is just to obtain quotes. Lawhead reported the owner of the S. Highland Street property has been fined and to the magistrate several times. He is not doing anything. The City is considering doing the demolition; however, Waste Management does not feel they can get a truck in there to give us containers. The owner of 133 S. Brady Street has filed for an appeal under the Property Maintenance Code so we have to wait for that process. If we can get some quotes to see what we need to do from there, we'll be good. The motion was made by Jackson and seconded by Gelfand to obtain quotes on approve the sale of the municipal vehicles as presented. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

Pension Request for Proposals

This is informational. We put out request for proposals for both our police and non-uniformed pensions. They got sent out to our existing pension firms and other that our solicitors recommended. We also spoke with the Pennsylvania Municipal League who also made several recommendations. The RFP is posted on the City's website. Responses are due back by August 19, 2024. We will set up an interview committee which will be comprised of members of the non-uniformed pension committee, the uniformed police pension committee and members of Council.

Ordinance No. 1881 – Debt Ordinance, First Reading

Councilman Gelfand read the proposed ordinance. Arbaugh requested permission to advertise for the meeting on August 12, 2024, and make it available for public inspection at both our office and on the website and by email. The motion was made by Gelfand and seconded by Jackson to accept the first reading of Ordinance No. 1881. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

International Property Maintenance Code Appeals Board – Appoint Members from July 22, 2024 – December 31, 2025

This board hasn't seen a case or had active members for a significant number of years. Since 2011 according to Lawhead. Because we adopted the Property Maintenance Code they are required. Our recommendation is to appoint Jeanie McAnich and Jan Monaco to the International Property Maintenance Code Appeals Board from July 22, 2024, through December 31, 2025 – through Consolidation. We could ask for additional members in the future, but we have a standing appeal in front of us. The motion was made by Jackson and seconded by Gelfand to appoint Jeanie McAnich and Jan Monaco to the International Property Maintenance Code Board of Appeals. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

Reasinger noted that there is one more position available on that board. If anyone is interested in volunteering, please call the City office or email pat.reasinger@duboispa.gov.

Paving Bids

The bid opening was held at 11:00 am on July 18, 2024. We received two bids:

Hawbaker, Inc.	\$194,699.00
HRI, Inc.	\$182,976.00

Arbaugh mentioned that both bids came in approximately \$20,000.00 below the cost estimate. New City Engineer Mike Haynes reviewed the bids, and everything looks good. Our recommendation is to award the 2024 Paving project to HRI, Inc. The motion was made by Gelfand and seconded by Jackson to accept the recommendation and award the 2024 Paving project to HRI, Inc., in the amount of \$182,976.00. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

Resolution No. 2024-0386 – Multimodal Grant Application

This is a grant application with multimodal in the amount of \$514,205.00. There would be no contribution from the City for this. It is for paving operations on Beaver Drive. Haynes noted that the figures came up slightly from last year. The motion was made by Jackson and seconded by Gelfand to approve Resolution No. 2024-0386 – Multimodal Grant Application in the amount of \$514,205.00. Roll call was as follows: Gelfand, yea; Dietz, yea; Aughenbaugh, yea; Jackson, yea; Reasinger, yea. Motion passed 5-0.

[Resolution follows on the next page]

City Council Meeting Minutes – July 22, 2024 (continued)

APPENDIX II – AUTHORIZED OFFICIAL RESOLUTION
Resolution No. 2024-0386

Be it RESOLVED, that the City of DuBois of Clearfield County hereby requests a Multimodal Transportation Fund grant of \$514,205.00 from the Commonwealth Financing Authority to be used for Beaver Drive Multimodal.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Pat Reisinger, Mayor and Shawn Arbaugh, City Manager as the official(s) to execute all documents and agreements between the City of DuBois and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Kerol Slocum, duly qualified Secretary of the City of DuBois, Clearfield County, PA, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by a majority vote of the City of DuBois at a regular meeting held Monday, July 22, 2024, and said Resolution has been recorded in the Minutes of the City of DuBois and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of City of DuBois,
This 22nd day of July, 2024.

City of DuBois
Name of Applicant

Clearfield County
County

Kerol Slocum
Secretary

CORRESPONDENCE

Petition to Council

This is correspondence we received from folks who are concerned with a national movement to cut back on quality-of-life policing methods such as making arrest for vandalism, littering, loitering, vagrancy, public intoxication and other quality-of-life violations. They urge us to maintain our policing methods and to support our police in their enforcement.

Public Comments

Dave Rupperecht – Sandy Township

“On Ordinance No. 1881, can I have the English language version of that? I believe I understand what that means, but I’d like to hear it.” Arbaugh explained that it authorizes the City to borrow up to \$16M for bond issue for refinancing the three existing variable interest rate loans and for the City building upgrade. “We have to pledge our taxing authority to recoup the monies to pay off that bond.”

Barry Abbott – Sandy Township

“Number 11 (Pension Request for Proposals), did you have to make a motion for that? Just clarification. Arbaugh replied, “We did not need to make a motion for it. We will need to officially accept, if we make a change from our current folks, we will need to award officially a proposal.” Solicitor Associate Matt Gieg noted that it is an RFP for professional services. Arbaugh continued, “We are just seeking those proposals and not committing to making any changes.”

City Council Meeting Minutes – July 22, 2024 (continued)

Kristen Vida – Chestnut Avenue

"Can you explain Item #7, Resolution No. 2024-0380 – Employee Wages. It says, 'Old Business' but I don't recall..." Gelfand replied, "That's the Compensation Ordinance we're required to have by code that we've been trying to work on, but due to the large amount of change of employees working for the City it's been tough to nail down. We think we're in a good place and we're going to go ahead and pass that." Reasinger added, "There have been a few changes." Vida asked, "Is that just for office staff?" Arbaugh confirmed, "Typically, it's done in late December or the first meeting in January. Due to the turnover, it's been in limbo. Just to echo the Mayor and Elliot, I think we're in a good stable place." Reasinger confirmed that this will be put on the website. "Again, to remind everybody, all of our bills and the invoices we pay are on the website for your benefit. I'm surprised we don't get some questions."

"At the consolidation meeting, I believe the joint committee approved, I don't know if it was an RFP for actuarial services for the pensions. Do we have a timeframe on that?" Arbaugh responded, "We don't have a specific timeframe. We think it's about six to eight weeks. We authorized our solicitor and joint board to move ahead with seeking those actuarial studies. I hope to have a timeframe by the end of this week as to when they will be completed." Vida continued, "I think I may know the answer but just want to confirm. Has the retirement committee met at all this year?" Reasinger replied, "No. We just talked to him a couple weeks ago. We need to get something scheduled. There should be one every six months." Arbaugh elaborated, "In our RFP that is one of our requirements that we have a meeting every six months with both the police and the non-uniformed folks." Vida said, "I know it's been about a year since the pension issue came up. There's a lot of curiosity in regard to the pension, and as a wife of an employee it's something I'm very concerned about, and I know there are employees who will be retiring this year or within the next couple of year and I think we owe it to them to find out where they stand. I mean, it's their livelihood and I am concerned about it." Arbaugh replied, "That's one of the reasons we put out the RFP to make sure we're getting the best investment we can to ensure longevity in that retirement plan." Reasinger added, "We do have plans to make a little extra payment into the retirement fund rather than our minimum obligation. We do have an eye on it."

Vida then offered a suggestion regarding the City pool. "Would the City ever consider an electronic payment option in addition to cash at the concession stand? I know a lot of parents go and they never have cash. I thought it's just something to consider." Arbaugh said, "We'll look into that."

Nancy Moore – Green Ridge Drive

"The forensic audit we've been waiting for, what's the status on it?" Reasinger replied, "It's on hold right now. The audit company requested some information that the federal government is holding and not willing to give up, so that's on hold probably until after the trial." Arbaugh added, "The auditors want to see that information to make sure they have a complete picture of everything, so they need to see all those documents that have been evaluated by the FBI. At this point in time, they aren't willing to give up those documents."

Moore then asked for clarification about the appeal going before the Property Maintenance Code Appeals Board. Arbaugh explained, "Since I've been here, at least, Zac has been very aggressive on Code Enforcement and doing a good job. As part of that, people can sometimes get upset and not agree with him." Moore restated, "So, basically appealing the decision of our Codes Officer." Lawhead clarified, "They have a couple of reasons they can appeal – whether they feel I misinterpreted the code, whether they feel I didn't give them enough time to correct the violation. A lot of times, an appeal is just to gather more time to correct the violation and that's how they're kind of using this one because I am forcing their hands on this one to try and get the ball rolling. If we can get an agreement that comes out of this appeals hearing, that's my ultimate goal."

Council Member Comments

Councilwoman Jennifer Jackson

"I actually have quite a few, I have been getting quite a few calls from citizens. I'm going to bring up a few. One is about our former Manager and Solicitor, what's going on? I relayed that the City has nothing to do with the criminal case. It's ongoing. We have nothing to do with that action."

"I have received several complaints about paving on Coke Hill. I did ask Shawn and we're going to do some spot patching, is that what it is?" Arbaugh clarified, "One thing we are committed to doing is to continue to cold patch up there. Sandy Township has an asphalt machine to put some hot asphalt down, so we are looking at getting some City of DuBois employees trained on the use of that and to do that work. Ultimately, we have a water line that needs replaced, so we hate to pave then rip it up for the water line. That's a major area for water leaks. It would be irresponsible to pave at this time until we have the waterline project done."

City Council Meeting Minutes – July 22, 2024 (continued)

Council Member Comments

Councilwoman Jennifer Jackson (continued)

Jackson continued, “Kristen Vida, I’m glad you brought up about employee wages. That’s just one of the many things this council has been working on since the beginning of the year, so we are finally getting to check that off our list. Another one I know Pat, I and Elliot has been big on is blight. Pat, Zac, Joe, Shirley Dahrouge and myself met with Keystone CORE last week and maybe we have something in place to move the City ahead with some blight issues we have. We have been working on it quite a bit, Zac has been doing a great job with that.”

“Last, but not least, this is a big baseball week here in DuBois. If you have the chance, make sure to make it down to the park. Shawn gave some t-shirts to throw out to the teams. It is Eastern Regionals at the park, so please stop out.”

Councilman Elliot Gelfand

It’s been great to see nice crowds down at the music in the park on Thursdays. We’re having another concert this week, so please try to stop down and enjoy. Great job to everybody that organizes that and puts it on.

City Manager Shawn Arbaugh

“I have one quick item. We did have a really good meeting with Senator Langerholc’s office to talk about some things. A couple of our main topics were we’re always trying to look for different grant opportunities here to promote economic development, so we did discuss that. Another big thing City Council has been having problems with are the skill game locations. We are working with our legislators to get something in place so we can help limit the number of machines, the hours they are open, and those kinds of things. We do get a lot of complaints on those facilities, but we are working through a legislator to try and get that changed.” Jackson asked, “Are they allowed to be open unmanned for 24 hours?” Arbaugh replied, “We can’t find anything it violates within our regulations. We’re hopeful. Our legislator has said this is a priority for them and we just want to continue to press that issue forward.” Reasinger asked if it is still an issue for the police. McCleary replied, “Yes, at times.”

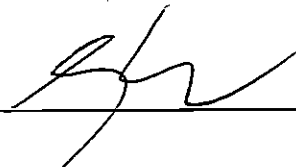
Adjourn

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

ATTEST:

Korbi Slocum

APPROVED:



RESOLUTION NO. 2024-0380

A RESOLUTION OF THE CITY OF DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, FIXING THE WAGES OF EMPLOYEES OF THE CITY OF DUBOIS, IN CONFORMANCE WITH THE BUDGET FOR FISCAL YEAR 2024.

WHEREAS, in the budget adopted by the City of DuBois for Fiscal Year 2024 there is an appropriation for the payment of salaries and wages to employees of the City of DuBois, effective January 1, 2024.

THEREFORE, BE IT ADOPTED AND ENACTED IT IS HEREBY ADOPTED AND ENACTED by the City Council of the City of DuBois as follows:

SECTION I
ELECTED OFFICIALS

Beginning January 1, 2024, the salaries of elected officials of the City of DuBois are fixed as follows:

Mayor	2,400.00
Member of Council (4)	1,200.00
City Controller	1,200.00
City Treasurer	25,461.60

Elected officials may voluntarily join the Non-Uniformed Pension Fund at the start of their service. Should elected officials choose to join the pension at the start of their service time, each regular paycheck they receive from the City shall include a 3.5% percent deduction for their contribution to said pension fund.

SECTION II
APPOINTED OFFICIALS

Beginning January 1, 2024, the salaries for appointed officials (from here on out referred to as Administrative Employees) of the City of DuBois are fixed as follows:

Finance Officer	10,000.00 (See note 1)
Code Enforcement Officer	55,000.00 (See note 4 and 6)
IT Director	57,783.96
Administrative Assistant	41,600.00 (See note 5)
City Solicitor	38,400.00 (See note 2 and 3)
Engineer	100,000.00 (See note 7)
Deputy Treasurer	43,706.00 (See note 4)
Treasury Assistant	2,500.00 (See note 1)
Water Department Manager	44,100.00 (see note 4)
Public Works Superintendent	111,715.00
Baseball/Softball Field Scheduler	10,400.00 (see note 3)

- (1) Finance Officer and Treasury Assistant are full-time Sandy Township employees that are being compensated for additional duties with the City of DuBois. Medical insurance and leave policies for these positions are in accordance with Sandy Township policies.
- (2) In addition to the annual salary identified above, the Solicitor may receive additional compensation for work performed outside the scope of the Solicitor's regular day-to-day responsibilities, including, but not limited to litigation, insurance defense work, bond issuances and special projects as assigned by Council. The Solicitor is paid as an independent contractor and therefore not eligible for the below benefits (See note 3).

- (3) The Solicitor and Baseball/Softball Field Scheduler are not eligible for benefits including but not limited to vacation or sick leave, health, life, dental and vision insurance.
- (4) The Code Enforcement Officer, Deputy Treasurer, Treasury Assistant and Water Department Manager are all hourly wage positions and are entitled to overtime pay at a rate of 1.5 times their regular wage for all time worked more than 8 hours per day or 40 hours per week.
- (5) The Administrative Assistant is an hourly wage position and is entitled to overtime pay at a rate of \$50.00 per meeting attended outside of normal business hours or 1.5 times their regular wage for all time worked more than 8 hours per day or 40 hours per week, whichever is higher.
- (6) The Code Enforcement Officer is a full-time DuBois City employee that is receiving supplemental compensation for additional duties with Sandy Township.
- (7) The Engineer is entitled to additional compensation in the amount of \$15,000 per year in accordance with the Intergovernmental Agreement with Sandy Township.

The Administrative Employees shall have deducted from their gross wages 3.5% percent as their contribution to the Non-Uniformed Pension Fund.

EMPLOYEE INSURANCE PLANS

The Administrative Employees shall have the same health, life, dental, and vision insurance provided to full-time municipal employees by the collective bargaining agreement between the City and the SEIU 668.

SICK LEAVE

Administrative Employees shall be entitled to paid annual sick leave at a rate of 12 working days per year for 1 to 5 years of continuous service, accumulating at the rate of 8 hours per month. Personnel with 6 or more years of continuous service shall be entitled to 15 days sick leave days per year accumulating at a rate of 10 hours per month.

Permanent part-time employees with 1 to 5 years of continuous service shall accumulate at a rate of 6 hours per month. Permanent part-time employees with 6 or more years of continuous service shall accumulate at a rate of 8 hours per month.

VACATIONS

Administrative Employees shall earn vacation leave based on the following rate of continuous years of service:

<u>Years of Service</u>	<u>Hours per Month</u>
1 – 5	8
6 – 15	10 2/3
16 – 20	13 1/3
21 or more	16

REIMBURSEMENT FOR MILEAGE – PRIVATELY OWNED VEHICLES

All employees are entitled to mileage reimbursement (IRS rate) per mile when using their privately owned vehicles for the conduct of pre-approved City travel.

SECTION III
NON-UNIFORMED EMPLOYEES

Beginning January 1, 2024, the wages and benefits of Public Works full-time employees shall be fixed by the governing collective agreement between the City of DuBois and SEIU 668.

SECTION IV
POLICE OFFICERS

Beginning January 1, 2024, the wages and benefits of City police officers shall be fixed by the governing collective bargaining agreement between the City and the DuBois Police Department.

SECTION V
PAY PERIOD

All employees and officials of the City shall be paid on a biweekly basis, with paydays being every other Thursday. Salaries and wages fixed herein are subject to all lawful and authorized deductions. Salaried employees' (i.e. elected and appointed officials) annual salaries shall be paid over a period of 26 paydays in 2024, with the first pay due on January 4, 2024. Hourly employees and overtime due shall have a cut-off date of the Saturday prior to the payday that pay is received.

SECTION VI
HOLIDAYS

Holidays shall be observed on the holiday. If a holiday falls on a Saturday, such holiday shall be observed on Friday. If a holiday falls on a Sunday, such holiday shall be observed on Monday. Provisions of the collective bargaining agreements between the City and its bargaining units take precedence over this section.

SECTION VII
DUAL MEDICAL COVERAGE

In the event that a City employee has available to him/her dual medical coverage, the employee may elect to waive coverage provided by the insurance plan offered by the City. If an employee chooses not to participate in the City's insurance plan, he/she must submit a form prescribed by the City waiving such coverage and a statement to the effect that subsequent enrollment cannot occur until the enrollment date specified by the City's insurance carrier. In the event that an Administrative Employee chooses not to enroll in the City's coverage they shall be entitled to a stipend of \$1,200 annually. This stipend will be taxable income and will be paid out over the 26 pays of the year at a rate of \$46.15 per pay.

SECTION VIII
SHARED EXPENSES FOR HEALTH INSURANCE

Administrative Employees enrolled in the City's group health insurance plan shall pay 20% of the difference between single coverage premium and the premium chosen.

Police officers enrolled in the City's group health insurance plan shall pay 20% of the difference between current year's premium and the base year's (2004) premium in accordance with the provisions of the Police Department collective bargaining agreement.

Public Works employees enrolled in the City's group health insurance plan shall pay 20% of the difference between current year's premium and the base year's (2007) premium in accordance with the provisions of the Non-Uniformed collective bargaining agreement.

SECTION IX
TERMINATIONS

Employees shall, at a minimum, give City Council a two-week written notice of termination.

SECTION X

All other Ordinances or parts thereof inconsistent with this Resolution are hereby repealed and this Resolution is effective July 22, 2024. If this Resolution is in conflict with any provision of a governing collective bargaining agreement or arbitration award for the period this Resolution is in effect, then that respective agreement shall prevail over this Resolution.

ADOPTED THIS 22nd DAY OF July, 2024

ATTEST:

CITY OF DUBOIS

Garbi Slocum [Signature]