

CITY COUNCIL  
Sunbury PA 17801  
February 24, 2014  
6:15 pm

A regularly scheduled meeting of the Council of the City of Sunbury was called to order with the Honorable David L. Persing, Mayor, presiding. There was a quorum with the following in attendance:

David L. Persing, Mayor  
John K. Shipman, Director of Accounts & Finance by telephone  
Richard L. Reichner, Director of Public Safety  
Dale L. Henry, Director of Public Works  
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Lisa Martina, City Controller  
Michael Apfelbaum, City Solicitor  
Stephen Mazzeo, Chief of Police  
Michael Rhoads, Zoning Officer and Fire Chief  
Terry Specht, City Clerk

There were seventeen (17) visitors present.

### **AUDIENCE COMMENT ON AGENDA ITEMS**

Mayor Persing asked for audience comment on agenda items and there were no comments.

### **REDEVELOPMENT AUTHORITY UPDATE**

Mayor Persing explained the Redevelopment Authority Board discussed 10 properties (vacant and homes) that would be up for auction soon. They also discussed the property on Spruce St next to Mr. Marshall's home. The RDA will not pursue that and another property in that area because there is no plan for their use. There is a property on Edison Ave. in the same situation where the owner next door wants to be involved with the blight property but Mr. Marshall chose not to. A policy will have to be developed for properties in this type of situation. There have been quite a few people at the last several auctions.

### **AWARD PHASE III/RIVREFRONT PROJECT**

Councilman Eister moved to award the bid to HRI, Inc. (the only bidder) in the amount of approximately \$394,000 and authorize the mayor to sign all documents. This will replace 400' of the old WPA wall with Redi-rock. Ms. Regina Russell asked why money is being put into the different phases of riverfront when they were discussing repairs to the wall and isn't riverfront considered the wall area. Councilman Eister answered he never discussed repairing it because he was always in favor of replacing the wall since it was last repaired in 1997 and had another blow-out in 2011. The reason it is called Phase III is because I and II are complete. The WPA wall protects the flood wall so it does not collapse during a high water event. Mr. Gordon Lamb asked again because the cost of repairing the wall and the cost of replacing the wall why spend so much to replace it when a simple repair will suffice. Councilman Eister answered \$35,000 was an inaccurate number because the wall cannot be repaired for that amount. Also, Councilman Eister said it is not feasible to keep repairing something that continues to fail. Mr. Lamb said \$35,000 every 15 years is a lot cheaper than \$300,000 to replace it. Councilman Eister said again that figure was not accurate. Mr. Lamb said the Army Corps set that figure. Councilman Eister said that is the amount they were giving for the project not the cost to repair it. Mr. Lamb said they also said that could be increased if the repair was more and Councilman Eister answered it was increased to \$52,000. Mr. Lamb said why don't you repair the wall for that amount then and Councilman Eister said it failed in 1997 and failed in 2011. The problem will be corrected for the future and getting in there is a tough situation because of Phases I and II and the money spent on them. Councilman Eister asked when the last time was when Mr. Lamb was in that area. He answered about 3 or 4 months ago. Councilman Eister said then he knows the situation and how tough it is getting equipment in and out of that area. Mr. Lamb said he can see it is not an easy place to get to. Mr. Lamb asked if an estimate was received for repairs and Councilman Eister answered no because a decision was made with the Sunbury Municipal Authority that runs the flood system, to repair the problem once and for all. Mr. Lamb asked if Councilman Eister is convinced this will repair it forever and Councilman Eister answered yes and other repairs have failed. Mr. Lamb said he understands the wall failed because of pressure behind the wall and wouldn't it blow out the new wall. Councilman Henry said that statement is incorrect. Hydraulics had nothing to do with the blow-out. Councilman Eister said there were issues with hydraulics and Councilman Henry said yes but not what Mr. Lamb is talking about. Mr. Lamb said the Army Corps report said it failed because of hydraulic pressure from a failed drainage system. Councilman Eister said the

new system will take care of that. When the lower section of Redi-rock was put in the hydraulics was all figured in and there were no failures in 2011. North of that is where it failed. Ms. Ruth Riehl asked if the same company that put the first wall in was doing this work. Councilman Eister answered yes they are. She said she watched them a lot and didn't see a lot of things she liked. She didn't care for the way they did the work. She saw them dump stones and 1 ½ hours later move the stones. They moved blocks around and then brought a bull dozer over and (could not understand on DVR). Councilman Eister said it is a bid price and they can ride up and down all they want to because it doesn't cost any more. Ms. Jan Dockey asked if the city would still get any of the grant money. Councilman Eister said yes and they are constantly looking for more grants. Second – Reichner. Unanimous vote.

### **CHESTNUT ST. PROJECT**

Councilman Eister said this project is being pushed back and bid out at the end of the year so the Municipal Authority can check drainage under the street for possible repairs. Also, Councilmen Henry and Eister will be meeting with SEDA-COG and PA DOT to discuss traffic signals and design work for rebuilding the intersections at Chestnut St & Second St. as well as others and to see what funding is available for them. Mayor Persing said the Municipal Authority has 3 major projects at this time, the reconstruction of the transfer station, the flood project near the textile mill and the water department putting domes on clarifiers. There is also a problem on Catawissa Ave. where they will be rerouting drains. Councilman Reichner said the Municipal Authority wants to scope all the lines to increase the flow of the storm water and alleviate flooding on Chestnut St. They will also be bringing up manholes to grade and they are going to try to do 20 a year which will also be costly.

### **APPROVAL TO PAY INVOICES**

Councilman Henry moved to pay the invoices on the vouchers payable report totaling \$163,088.96 from the general fund and \$4,398.68 from Liquid Fuels. Second – Eister. Unanimous vote.

### **AUDIENCE COMMENT**

Ms. Regina Russell, community activist, said she wants to give the chief of police and the department congratulations on their handling of the ongoing Craigslist murder case. She also said during the 2/10/14 council meeting she had a complaint about a property on S. 4<sup>th</sup> St. being able to park 2 vehicles in a space and one vehicle extends halfway across the public sidewalk and blocking ease of exits in case of a fire or emergency evacuation. The space was not there 8 months ago. It is a designated hub school zone that she lives in where she has lived for 8 years. There were no parking violations before purchasing the house next door building a bridge connecting both of the houses and now they are parking a van and a car. She said the area is designated as a hub school zone for bus transportation and student/pedestrian traffic. Foot traffic has increased with the combining of the middle school and high school. She was asked after the last meeting where the person parked before they purchased the house next door so she presented the question to the code office. Also, why wasn't the owner advised to fill out an application to have a space reserved and a sign erected for persons with disabilities since the chief was brought in to say that he did go to the investigation with Councilman Reichner and he felt compassionate because the woman had 3 children in wheelchairs so therefore she is permitted to park there without being asked to move 1 vehicle. There is a second vehicle and a bus for 10-12 passengers parked on the street on S. 4<sup>th</sup> St. which no one in the neighborhood complains about it because everyone has compassion for the woman who has adopted children and foster children with disabilities. She is asking for her if a sign or 2 signs can be erected for her because they do use the exit from the house on the corner of S. 4<sup>th</sup> & Walnut to access the van and the bus to transport the children with disabilities. Finally, she asked why she has to fight so hard when she brings up concerns to council to get anything done. She said it seems like every time she brings up something she is insulted, disrespected, humiliated or told that her complaints are frivolous and have no merit when they do. Why is it so hard for her and it is really hard for her not to say that it is because of the color of her skin. She said she hates to go there but she has to fight so hard for anything that she tries to bring forth to council and that goes with ordinances she has cited but council fights her and she gets it because she is an outsider and not a member of the club so therefore we want new people to come to Sunbury, professional people but we want you to come to meetings and don't say anything just shut up don't speak out just listen for our little signs of what we've been doing because this is how we've been doing it all the time. She thanked council for not interrupting her. Mayor Persing answered there is no club and everyone in the room is entitled to their opinion of the law. City council enforces the law. She may not agree with the way the law is written or enforced but that's the way the law is. Just because everyone does not agree on a certain thing, it goes by interpretation under the law. If something gets passed or gets done she does not agree with that is her opinion but the law says this is how it gets enforced that's how it gets enforced. She said she is not getting into a verbal battle. Mayor Persing also said if she is talking about a handicap sign there is a procedure – an application has to be completed and a procedure including how many spaces on the block. He said Ms. Russell can pick one up for her and all she has to do is fill it out and perhaps she can get handicap parking. Ms. Russell said she brought it up because she wanted to know why it wouldn't be brought up to her because she has been calling and complaining for over 8 months. There are students that walk past the vehicle that have to go around it into the incline which

forces them in the streets. Mayor Persing said he understands that is not a problem because there is 5' of walking area. He is talking about the parking permits for handicap parking. It isn't up to anyone to ask her if she wants one. It is a simple procedure. Ms. Russell said the code office called there and the chief of police was there as well as the director of the code office – why wouldn't they have suggested to the person to have it done. Councilman Reichner said that sign does not guarantee – anybody with a handicap placard can park in any handicap spot. Ms. Russell interrupted and said she begs to differ and she has all the regulations. She said she shouldn't have to do the research for council members because they should be aware of the regulations. Councilman Reichner said council did not interrupt her when speaking. She said the fire chief is in the code office and a supervisor there and he should be able to say to the person because FEMA has code regulations for people blocking exits so that there should always be ease to exiting any house in case of a fire or emergency. Mayor Persing said Councilman Reichner is talking about handicap parking and Ms. Russell is talking about. She interrupted again and said the chief.... Chief Mazzeo asked if she is talking about the lady at 354 Walnut St. and she answered yes. Chief Mazzeo said the reason they did not suggest a parking space on the street was she is not the aggrieved party. She did not call them to complain about her parking issues. Ms. Russell said no that was her. Chief Mazzeo said she is happy parking her cars in her driveway. They did raise the issue of people coming by and tapping on her car and she was ok with that. There is a 10' by 15' passageway and a wheelchair can go through without going into the street. She is happy with what she has. Ms. Russell said everyone finds the grey area to fight her on and he is not listening that the..... Chief Mazzeo asked if Ms. Russell talked to her and Ms. Russell answered no she doesn't have to talk to her. He said they did talk to her. Ms. Russell said she is blocking 2 exit doors. Chief Mazzeo said she is partially blocking the sidewalk but she has made a passageway which is wider than the sidewalk for people to get around them. It is a city (Ms. Russell and Chief Mazzeo talked over each other and is not able to be translated from DVR). Chief Mazzeo again asked if Ms. Russell was representing her and she said no she isn't she is complaining and representing the neighbors in her community that want to know why she is able to get away with it and she asked it because for a whole year she was banged in the head constantly flown in her face how Councilman Eister's tenant could park in front of the garage as long as he left 5' of public sidewalk. This lady is permitted to have the tail of her vehicle extended over the public sidewalk in a school safety zone. Chief Mazzeo said there are 3 handicap people in the house and there is a passageway around it. She does block public sidewalk but she has a passageway around it that he believes 1 or 2 wheelchairs can get through. If she did not have 3 handicap people in the house he would have said she has to find someplace else to go but in a case like that with 3 handicap people – she is not going to pick on them because her neighbor has a problem. If she is happy with it, Ms. Russell should let it go. Ms. Russell said what she loves about Sunbury is that no matter what federal laws are in effect we can overlook it. Chief Mazzeo said parking laws are state regulations. Ms. Russell said FEMA has reviewed and have as a US Fire administration as of July 19, 2013, it addresses this but she doesn't want to get into a verbal battle with anyone because Sunbury has the city on lockdown and are going to run the city any way they want to whether it violates federal code or not. She said this building is an example because the bathroom on this floor does not have a handicap stall in it. That is just one of things they get away with. Ms. Specht said there is a handicap restroom down the hall which was just put in a few years ago. Ms. Russell said she did not know Ms. Specht was the council. Councilman Reichner said council members would like the same respect that Ms. Russell wants when they are talking and not be interrupted. He said they did not interrupt her at all and Ms. Russell said she appreciates it. Councilman Reichner said council would appreciate the same things. Also, he said he has a handicap placard and asked Chief Mazzeo if he parks it in the handicap parking space at 4<sup>th</sup> & Walnut, would he get arrested. Chief Mazzeo answered no. Councilman Reichner said no he wouldn't because that does not say this is Regina Russell's handicap, or Chief Mazzeo's handicap zone, it is handicap parking for anybody that has a handicap placard. Councilman Henry said if Councilman Reichner wanted to park his vehicle at that corner, as long as it is legally inspected he would not have to move it. Chief Mazzeo said that is correct. Councilman Reichner said as long as it is street legal and inspected he can because he has a permanent handicap placard. Ms. Russell said the Bureau of Motor Vehicles when they give you the important information for the Disabilities Act and the erection of signs it says totally different. Councilman Reichner said she has a handicap placard that she is entitled to use at any handicap parking spot. Mayor Persing said the person hasn't even applied. Ms. Russell said all they have to do is go to a website and look up the rules and regulations. She said again whatever issue or topic she brings up seems to be a big laugh. Mayor Persing asked for the address and it is 354 Walnut St.

Ms. Laurie Johnson announced the city will have a Mardi Crawl on March 2<sup>nd</sup> from 9 pm to 12 midnight. If anyone sees someone walking around in a wild costume it will be Tom Sowers who will visit participating businesses.

Councilman Reichner thanked the street department and everyone else that was involved in clearing the streets of snow, including the Municipal Authority. They did a great job and went above and beyond expectations. The Park & Recreation dept. also helped. There was no money spent on outside contractors coming in to remove or haul snow. Mayor Persing said years ago they budgeted \$100,000 for snow and that went down as the years passed. Councilman Eister said a record was set for snow in the month of February in 1914 and right now we are close to beating that record.

Mr. Dave Whipple said they did a fairly decent job of removing snow. The problems they have in his neighborhood is that there is a spot very wide of solid ice. Councilman Henry said Terry and Cheryl took a beating in the office with calls about snow. Mr. Bordner took care of the metered streets first and then they started on sections of the city. He asked them why they didn't do the whole area and Mr. Bordner said there would be no place to park if they did the entire area at the same time. All of the streets have not been cleared yet and they are still clearing snow. Many people from Susquehanna Ave and Edison Ave wanted to know when they were coming to clear snow. Councilman Henry said give them time and they will get to it. He now understands why you can't throw snow into the street – that is what creates the roller coaster effect in the street.

Ms. Jan Dockey said from Packer St from Susquehanna Ave. to 4<sup>th</sup> St. – her car went into a big pot hole. It is a bad one. Councilman Henry said they started on potholes today. Councilman Henry said he called PA DOT about potholes on state owned streets. Councilman Henry said he wanted council to be aware that the gas company has not been closing the streets properly after digging and the city has to be very careful about how permits are issued. There are many areas sinking from places they dug. There will not be any permits issued for cold weather digs by utilities unless it is an emergency.

Ms. Regina Russell said she understands that she may be insulting that to her as an outsider it seems like it's a friends and family plan or members club but she wants to say it would be nice to hear the council be respected when people speak with them and address them as Councilman or Mayor instead of first names. To her and where she comes from, they earned the titles because they were voted into their positions and given the respect. If people want to call them by first names it should be done in private and outside council chambers.

Ms. Meghan Beck reminded everyone that SRI is putting new planters up that will hold more water and won't have to be watered as often. They are \$200 and they are looking for sponsors. The Hometown Veteran's banners submissions are due until March 10<sup>th</sup>. It is \$200 for a new one or \$100 for a rehang. The River Festival this year is the 25<sup>th</sup> anniversary of the River Festival.

Ms. Ruth Riehl thanked everyone for saying about the murders and the body being brought here. The town is great and Sunbury was the drop off for them. Mr. Lamb asked how much has been spent on police overtime for the murder investigation. The answer is approximately \$25,000. He asked how it would be funded and Mayor Persing answered they will just have to find a way. Councilman Eister said he does not think any city employees should be doing more interviews in regard to the murder investigation because it is drawing national media in and the stories are not positive. Chief Mazzeo said his interviews are short, sweet and to the point – District Attorney Rosini made it very clear that because it is an active homicide investigation they only tell them they cannot comment because it is an active homicide investigation. The rest of the media attention is because of The Daily Item.

Ms. Julie Broschius thanked Mr. Apfelbaum and the Degenstein Foundation for the grant given to move the county historical records out of the basement of the court house.

### **COMMAND VEHICLE**

Councilman Eister said the police command vehicle has been sitting there and hasn't been moved. Insurance is being carried on it. He asked Chief Mazzeo why we still have it. Chief said they were trying to use it for aggressive driving grants but because of the way grants are going he concurs that it should be sold and requested that any money should be transferred to their vehicle account so they can get a replacement vehicle for the one that was destroyed last year. They would also like in-car cameras in all the vehicles which they do not have right now. They have served very well for some of their prosecutions. Mayor Persing asked Chief Mazzeo to get with him to decide where the best place to market the sale would be. Councilman Eister made the motion to sell the vehicle and transfer the funds into the line item for police vehicle purchase. Second – Henry. Unanimous vote. Councilman Henry said he would ask Mr. Bordner to get the vehicle started and take it to the city garage for storage.

### **BANK FINANCING FOR CONSTRUCTION PROJECTS**

Mr. Apfelbaum said this has to do with the bank financing already in place. Treasurer Troup was able to negotiate a new rate with Northumberland National Bank. Councilman Eister moved to approve the modification of the General Obligation Note, Series A of 2010. The modification would result in a fixed rate of 2.4% payable through January 15, 2020. The balance of the loan payable after January 15, 2020 will be paid at an adjusted rate of interest pursuant to the terms of the Note set forth in General Obligation Note, Series A of 2010. The Mayor, City Treasurer and City Clerk shall have the authority to sign all documents to implement this motion. The terms will be effective February 24, 2014 (rate will be reduced from 4.18% to 2.4% for the fixed rate period). Second – Henry. Unanimous vote.

There being no further business to discuss the meeting was adjourned at 7:00 pm.

Respectfully submitted,

Terry Specht  
City Clerk