

CITY COUNCIL
Sunbury PA 17801
December 14, 2015
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
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:

Kevin Troup, City Treasurer
John Bakowicz, City Engineer
Brianna Apfelbaum Kula, City Solicitor
Brad Hare, Police Chief
Ken Long, Assistant Public Works Supervisor
Michael Rhoads, Zoning Officer
Terry Specht, City Clerk

There were twenty-three (23) visitors present.

An executive session was held at 4:00 pm on Wednesday December 9, 2015 to discuss personnel matters.

A moment of silent reflection was held in remembrance and in honor of all military personnel.

MINUTES AND REPORTS

The minutes of 11/9/15 and available departmental reports of the Police Dept., Treasurer's Office, Controller, Health Dept. (quarterly), Fire Dept., City Engineer, Code Office, Park and Recreation Department, Park and Recreation Board, Public Works Dept., Planning Commission, Redevelopment Authority and Police Pension Board (quarterly) are in the City Clerk's office for review. Motion to accept was made by Councilman Reichner. Second – Eister. Unanimous vote. Minutes will be posted at cityofsunbury.com.

PUBLIC COMMENT/AGENDA ITEMS

Mr. Joe Bartello asked what department the executive session discussion was about and the answer is the police department.

SRI UPDATE

Ms. Meghan Beck reported Late Night Shoppers was a huge success. There were an additional 42 crafters in different buildings in the downtown area and more downtown businesses stayed open. The Albright Center elevator is being installed. Councilman Reichner asked Ms. Beck to reiterate to the contractors that they cannot park their truck on the sidewalk because it blocks the traffic line of sight for anyone to pull onto Chestnut St. from 5th St. Ms. Aimee Buehner said the Biz Pitch was a huge success. The winner of the contest was Radiant Holistic Center and Academy. They will have massage therapy, reiki readings, nutrition, herbs, etc. They would like to open by February. Ms. Buehner also met with 3 of the other contestants in the hopes of having them open businesses in Sunbury. SRI is hoping to have another Biz Pitch event next year. Mayor Persing also met with the winners of the competition and they are very interested in getting started quickly. Mr. Slade Schreck said this is the 4th New Year's Eve celebration. The band Jesse will be playing and it will be their final performance. Tickets are now on sale for the VIP tent. There will be food provided by local businesses for a "Taste of Sunbury." There are 3 bands beginning at 8 pm. The children's portion of the event is from 6 pm to 8 pm in Cameron Park with free ice skating after that. The weather should

be great. Ms. Buehner also said there is another business coming into the downtown at the former Kowabunga location. Mayor Persing said there was a meeting with an employee from the PDC in regard to the Keystone Communities designation and hopefully there will be good news on that soon.

REDEVELOPMENT AUTHORITY UPDATE

Councilman Reichner moved to pass the Resolution (see attached) to ratify the sale of 5 properties at a public auction held on October 10, 2015 and 3 properties on November 14, 2015. Second – Eister Unanimous vote. Ms. Regina Russell asked if the funds received from the auctions can be used to repair sidewalks. Ms. Apfelbaum Kula answered that the funds for 144 South St are part of the CDBG program so the proceeds would go back into CDBG and the property at 314 S. 3rd St. is involved with the Keystone Communities grant and Ms. Shrawder would have to answer that question. The general redevelopment funds go back into the blighted property projects. 144 South St. had conditions of sale to update the sidewalk at that property. The RDA is trying to upgrade sidewalks as properties are sold.

MARKET ST. UPDATE

Councilman Eister reported the street lights are being installed beginning today and should be finished within 2 days. The entire project should be finished by the end of the week.

VERIZON NETWORK FLEET GPS PRICING PROPOSAL

Councilman Shipman said there is a proposal for installing GPS units in the code and police vehicles as well as a few light trucks. The purchase price is \$2,222.30 and monthly recurring costs are \$189.50 for 10 units. Councilman Shipman moved to purchase and install the units as noted above. Second – Henry. Yes – Shipman, Reichner, Henry, Eister. No – Persing. Motion carried.

MULTIMODAL TRANSPORTATION GRANT

Councilman Eister moved to authorize the mayor to sign all documents necessary for the submission of this grant as well as pass the Resolution (see attached) requesting \$1,050,000 in funding for Phase 2 of the Chestnut St. project. Second – Henry. Unanimous vote.

RESOLUTION/SCULLIN PROPERTY TRANSFER OF DEED TO CITY

Councilman Eister announced that the Scullin Oil Company was sold several months ago. The property at 10th & Spruce St. is being donated to the City of Sunbury. The city garage is adjacent to this property. Councilman Henry asked if an environmental study was done on this property and the answer is no. He feels due diligence must be done on this before being accepted. Councilman Eister said this was discussed and Councilman Henry asked why they received the information on the day the vote had to be taken. Councilman Eister said the solicitor just got the paperwork finished and the Scullins want to transfer the property before the end of the year. Councilman Shipman asked what the liability would be if something turns up on the property. Councilman Reichner said nothing unless someone digs the property up. The buildings are being used for storage and warehouses. There have never been underground tanks but there were tanks on a concrete pad which is still there. Mayor Persing asked if the buildings were viable and Councilman Eister answered yes. Mr. Scullin would like to keep an office at that location for about 1 year. There will be no rent collected. The costs incurred will be \$3,643.06 for the appraisal and fees needed to record the deed plus \$1.00 for the transfer of the land. Mayor Persing said he has the same concerns but a study will not be done within the next 3 weeks. Councilman Eister said they are in the business of cleaning up toxic waste so he would make the assumption that they would keep their own site cleaned up. The intent is to use the property for storage. Councilman Eister moved to accept this property as a gift from the Scullins to the city. Second – Reichner. Yes – Eister, Persing, Shipman, Reichner. No – Henry. Motion carried. Councilman Henry said this is the same situation as the Burger King lease when a vote had to be taken without prior knowledge of what was going on. Mr. Gordon Lamb asked if Mr. Kula was handling the transfer for the city or Scullin. The answer is both and that is totally legal.

2016 TAX ANTICIPATION NOTE

Councilman Shipman opened the following proposals for the 2016 tax anticipation note:

M&T Bank 1.44% floating to 5.44% with fees
First National 1.69% fixed no fees
North'd National 1.15% fixed no fees
West Milton Bank .99% with \$500 fee
Swineford Bank 1.77% or Option 2- 2.11% with \$250 fee

Councilman Shipman moved to have the solicitor review the bids and authorize the mayor to sign all documents and award to the apparent low bidder Northumberland National Bank. Second – Henry. Yes – Eister, Henry, Reichner, Shipman. Abstain – Persing. Motion carried.

APPROVAL TO PAY ENGINEERING INVOICE #150323/PHASE 2

Councilman Eister moved to pay this invoice in the amount of \$\$4,303.30. Mr. Troup asked what account the invoice would be paid from and Councilman Eister said he would check with Ms. Shrawder. Second – Henry. Unanimous vote.

APPROVAL TO PAY INVOICES

Councilman Shipman moved to pay the invoices reported on the voucher's payable report in the amount of \$36,454.69 from the General Fund and \$1,549.80 from the Liquid Fuels Fund. Second - Henry. Unanimous vote.

AUDIENCE COMMENT

Officer Stephen Mazzeo: Distributed 3rd step of grievance to mayor and city council members.

Ms. Aimee Buehner: At the last meeting a discussion was held in regard to lowering the square footage of new apartments in the Central Business District. She said there is concern with permit fees and the parking situation in the downtown area as well as requirements for the apartments. She talked to someone from the Danville Business Alliance who had a study done through Penn State on upper floors in downtown areas. She would like to see a focus group started before amendments are made to ordinances. Ms. Buehner said she learned that it takes about 7 years to turn a community and Danville is on year 5. In the last 2 years most of Mill St. in Danville was for sale and most of it sold. They have had success with investors coming in and renovating second floors.

Ms. Regina Russell: The mayor abstained from the vote for the tax anticipation note because his daughter works at Northumberland National Bank. His daughter is the city controller and wouldn't it be a conflict of interest if the city accepts the loan from North'd National Bank. Solicitor Apfelbaum Kula said it is not a conflict of interest. Ms. Russell also asked when the ordinances that were discussed at the last meeting would be brought up again. Mayor Persing explained ordinances have to have 2 votes and the next time they will vote on them will be in January. She would like to address the signs that are allowed on private property. That ordinance change was tabled. Councilman Reichner said there is a federal law pertaining to signs that has to be researched. If the city allows signs on Penn DOT highways they will be held liable for all lawsuits. The state pulled all signs on right-of-ways rather than being fined and lose the federal funding. Ms. Russell thanked Councilman Shipman for his work with the city. He has been a breath of fresh air and they will miss him.

Mr. Jim Snyder: How many contractors working on the SUNOCO property have licenses? Councilman Reichner said he assumes everyone that works there. Mr. Snyder said they are not on the contractor's list. He asked Councilman Reichner to check and report at the next meeting who has licenses and who does not.

Mr. Gordon Lamb: Why can't anyone read the police report that cost \$28,000? Mayor Persing answered because it is personnel issues. Solicitor Apfelbaum Kula explained at this point it is attorney/client privilege and it is an ongoing personnel issue. Ms. Julie Broschious asked when it was decided it is attorney/client privilege. Councilman Shipman said it is not helpful to have bits and pieces leak out while there is an ongoing situation. He feels the city should release a report at some time but this is not the time. Councilman Reichner said that \$28,000 also includes payment for work

done on the police contract negotiations. Ms. Russell asked if insurance was paying for the investigation and Councilman Shipman answered it is being paid for at this point by a private grant and not tax revenue.

Mr. Francis Scarcella: The \$28,000 figure came from the treasurer's office and he did not ask for detailed bills and he reported \$28,000 was paid to Ballard Spahr.

DISCUSSION

Councilman Shipman asked council members and the solicitor to look at a policy for the GPS units and dash cameras. Mr. Scarcella asked if the GPS is in the vehicles and 3 officers are doing a sting operation, who has access to see where they are. Councilman Shipman said the city will have a secure portal and there would be limited access to it.

POLICE CONTRACT NEGOTIATION COMMITTEE

Mayor Persing said right now Councilman Shipman and he and Solicitor Apfelbaum Kula are on the negotiating team for the city for the police contract. This will not be settled by the end of 2015. Mayor Persing said John Shipman will stay on the contract negotiation committee until it is settled as well as the police investigation committee until it is resolved.

There being no further business the meeting was adjourned at 7:12 pm.

Respectfully submitted,

Terry Specht
City Clerk