

CITY COUNCIL
Sunbury PA 17801
November 9, 2009
7:00 pm

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

Jesse C. Woodring, Mayor
John K. Shipman, Director of Accounts and Finance
Mark W. Walberg, Director of Public Safety
Kevin E. Troup, Director of Public Works
James R. Eister, Director of Parks/Recreation and Public Buildings

Other City officials in attendance:

Elizabeth Kremer, City Treasurer
Lisa Persing, City Controller
Michael Apfelbaum, City Solicitor
Stephen Mazzeo, Chief of Police
Dean Weirick, 1st Assistant Fire Chief
Michael Rhoads, Property Maintenance Officer

There were sixteen (16) visitors present.

4 members of council met on October 30th to discuss the contract/bid let for the Riverfront Project. An executive session was held at 5:00 pm on 11-9-09 to discuss personnel issues.

MINUTES AND REPORTS

Minutes of 7/13/09, 8/10/09, 8/24/09 and Reports of the Police Dept., Treasurer's Office, Fire Dept., City Engineer, Code Office, Park & Recreation, Public Works Dept, and Planning Commission were accepted on a motion by Mayor Woodring. Eister – second. Unanimous vote.

AWARD BID/RIVERFRONT TRAIL PROJECT

Mr. Scott Russell of Buchart Horn Engineering announced that bids were accepted for this project on September 30th. A review of the bids has been made and it is Buchart Horn's recommendation to award the bid to Kinsley Construction as the apparent low bidder for the project. Councilman Eister moved to proceed to award the bid to Kinsley Construction and authorize the mayor to sign all documents. The award amount is \$2,148,264.25. Mr. James Smith asked council to reconsider funding this project because he said the citizens are not in favor of the project or of borrowing money for the project. Councilman Walberg explained there are different categories of funding and everything is reimbursable with the exception of approximately \$171,000. The City first has to guarantee that the money is in place and that is why the loan and line of credit for \$2.1 million had to be procured. The \$171,000 would be paid from Community Development Block Grant (CDBG) funds. Councilman Shipman added that the funding is in place for the project. Councilman Eister reminded Mr. Smith that to complete the riverbank stabilization project there has to be an economic development piece to use the state's RACP funds. The amphitheater and trail project are the economic development pieces of the Riverfront Project. After more general discussion, Troup seconded the motion and the vote was unanimous.

2010 CDBG PROJECT REVIEW

Ms. Jamie Shrawder reviewed information regarding the 2010 CDBG Projects submitted with council members (see attached). She stated that at this time council does not have to decide what projects to fund or the level of funding for them. The approximate amount of funds available will be \$352,000 with \$288,640 available for projects (\$63,360 for administrative purposes). Ms. Shrawder explained that if the PA DOT project (Route 61 corridor project including decorative support arms for traffic lights) was eligible as a CDBG project, a public hearing would need to be held to approve it. Ms. Shrawder further explained that it's better to fund larger projects because the smaller programs still have to have environmental review and labor standards. She also did not recommend funding anything at less than the full project costs.

AUDIENCE COMMENT

Ms. Cora Campbell explained the beginnings of Stroh Alley. She stated that Captain Andrew Jackson Stroh, Company G of Iowa Volunteers, resided at the area that is called Stroh Alley and had a

blacksmith shop next door. His brother George was Chief Burgess of Sunbury. Captain Stroh owned the property in 1889 and at that time it was called Straub Alley. In 1918 it was changed to Stroh Avenue.

Mr. Scott Johnson explained that he received a fine from the PLCB for \$250 for “audible music” being heard outside his business at Third and Market St. Any time the door opens and closes they can be cited if music is audible outside. The train that uses the tracks on Third St. has a minimum requirement of 110 decibels by the federal railroad administration. 80 decibels can damage a child’s hearing. He said Northumberland Borough and Monroe Township have made exceptions to the law for 2 of their businesses and now the Borough and Township police oversee that particular law instead of the PLCB. Harrisburg has adopted it for Second St. in Harrisburg. Mr. Johnson has a petition signed by every establishment on Third St. Sunbury to do the same for them. He asked if council would consider petitioning the PLCB to enforce the City’s noise ordinance. Mayor Woodring said he would try to get the paperwork from the Borough and Township and report back at another meeting. Councilman Walberg asked if a second door would solve the problem and Mr. Johnson said it would at establishments where that is feasible.

Mr. David Strock is a teacher at Shikellamy High School and he wants to ask council members questions regarding the \$100 professional services tax. He asked where the City came up with the tax. Councilman Shipman responded that during the Early Intervention Program, a consultant suggested this would be a way to enhance the revenue stream. There is statutory authority as verified by the City Solicitor. Mr. Apfelbaum said they are available on the internet. Mr. Strock asked what “an office” meant in the ordinance amendment and Councilman Shipman said it means any place a professional works. It doesn’t literally mean “an office.” A list was procured from the state’s website with all professions that must have a license from the state to operate. There were a lot of exceptions to the list due to complaints from individuals so council decided it would be better to set a minimum wage earned in Sunbury to pay the tax. That fee was set at \$15,000 in earnings in the City of Sunbury. Mr. Strock said his paycheck is generated on the island and not in the City. Councilman Shipman told him he works in the City at the Shikellamy High School and it doesn’t matter where the paycheck was generated. Mr. David Ritchie explained that he does not have a problem paying his fair share however, he feels \$100 is not fair. Mr. Ritchie said the younger teachers are asking where this tax comes from and said through research they found that educators, clergy and charitable organizations cannot be taxed. They did not want to share that information with council members. A lot more general discussion occurred regarding this subject.

2010 BUDGET MEETING

Councilman Shipman announced that a budget meeting is scheduled for November 16th at 6:00 pm. He also invited the new councilmen and mayor to attend the meeting. He handed out budget worksheets that were compiled using the figures the council members provided, as well as revenue amounts from a meeting with Beth Kremer and Terry Specht. Councilman Shipman also asked council members to be frugal with purchases to the end of the year because it is the time the City runs low on funds.

NOVEMBER EXPENDITURES

Councilman Shipman moved to authorize the expenditure of \$34,472.38 for the 1st accounts payable run of November. Second – Eister. Unanimous vote.

TAX EXONERATION

Councilman Shipman moved to pass the tax exoneration as requested by Statewide Tax Recovery. Second – Eister. Unanimous vote.

HOME IMPROVEMENT CONTRACTORS

Councilman Shipman explained there is an issue with home improvement contractors. The state passed a law that requires home improvement contractors to register with the state and pay \$50 for the registration – that exempts them from local registration. Contractors are now saying they don’t have to pay the local fee because they are exempt due to the state fee – however, the state fee specifically applies to home improvement contractors that do work on single family dwelling, multifamily dwellings consisting of not more than two units or a single unit located within any multifamily dwelling, including condominiums and cooperative units. A contractor that works on any other type of structure is subject to local licensing requirements. This includes commercial, industrial, institutional and multifamily dwellings greater than 2. Councilman Shipman prepared a notice to home improvement contractors they would have to sign off on if they feel they are exempt.

FIBER OPTIC UPDATE

Councilman Troup told council the fiber optic is being run from Cleveland OH to the coastline in NJ. A meeting was held to discuss where the fiber optics would be run – the original plan was to zigzag through the City streets and that plan was not acceptable. The alternative would be to go along the dyke and the Army Corps of Engineers approved the permit to do that. Further updates will occur at meetings as needed.

There being no further business, the meeting was adjourned at 8:05 pm.

Respectfully submitted,

Terry Specht
City Clerk