

CITY COUNCIL
Sunbury PA 17801
January 13, 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
Richard Reichner, Director of Public Safety
James R. Eister, Director of Parks, Recreation and Public Buildings
Dale Henry, Director of Public Works

Other City officials in attendance:

John Bakowicz, City Engineer
Lisa Martina, Controller
Kevin Troup, City Treasurer
Mike Bordner, Public Works Supervisor
Mike Rhoads, Code Office
Cory Zerbe, Police Officer
Brad Hare, Police Officer
Steve Mazzeo, Chief of Police
Jamie Shrawder, SEDA COG
Cheryl Delsite, Adm. Asst.

There were thirty (30) visitors present.

Chestnut Street Public Hearing

Jamie Shrawder informed the audience of the upcoming Chestnut Street Rehabilitation Project for which she is applying for a Keystone Communities Grant. The project will be funded with CDBG, Liquid Fuel, local funds and if successful the Keystone Communities Grant. The project will consist of street reconstruction, curbs, sidewalks, curb cuts, removal of trees with invasive roots, street lighting and repairs and upgrades to the traffic lights from Front Street to 10th Street.

The cost estimate for the project is 1.5 million dollars and should be covered by the CDBG, Liquid Fuel, local funds and the Keystone Communities grant. If the bids come in higher than 1.5 million; it will then be bid out as a unit price contract which means pieces can be subtracted out like not doing the street lights or sidewalks.

The schedule of the project is as follows: tonight's public meeting and a meeting with the engineer later this week. The design work is being done and going out for bid in April and awarding the bid in May. The work should be completed by the end of the paving season in October.

Ms. Shrawder asked if those in attendance have any questions. The question was asked if the street lighting would be the same as the Wolverton Street project. Yes the lighting will be the same. One of the property owners asked if they would be able to keep their brick sidewalks. Ms. Shrawder said she would have to check with the city to see what their wishes are. The traffic lights will be switched from the underground loop to the video detection. The lights will be switched to LEDs.

The funding sources for this project are \$356,256 from CDBG; \$200,000 from Liquid Fuel; \$400,000 of local funds and Ms. Shrawder is preparing a Keystone Communities grant application for \$500,000.

Once the design work is done a public meeting will be held to allow the property owners to voice any questions or concerns. There will not be any financial commitment from the property owners.

With nothing further to discuss the public meeting was adjourned and the Council meeting was called to order

APPROVAL OF MINUTES

Councilman Jim Eister made a motion to accept the minutes as presented. Councilman Dale Henry seconded the motion. The motion carried unanimously.

CDBG UPDATES

PA ACT90

Jamie Shrawder reminded the city of their pledge of CDBG funds to match to the blight and remediation efforts of the county that are being done through a Keystone Communities grant they received. The city will receive \$44,908 of additional funds to be used for demolition and blight in the city. One of the requirements of Northumberland County and their housing authority to use this money is the City must adopt PA Act 90 (Neighborhood Blight Reclamation and Revitalization Act). PA Act 90 allows municipalities to file court actions against property owners with serious code violations. Judgments can be filed against the property owners' assets not just liens against blighted property. The act also allows for the extradition of out of state property owners for prosecution. It also allows municipalities to deny applications for certain municipal permits and approvals including but not limited to rental licenses if the applicant is delinquent on taxes or other municipal charges or if the applicant owns the property that has serious code violations and has not taken any substantial action to correct the violations.

After some discussion, it was decided to table the adoption of PA Act 90 until the next council meeting.

CODE OF CONDUCT

Each of CDBG entitlement communities' grantees has adopted a code of conduct. Ms. Shrawder said she is unable to locate one for the city in its administrative file at SEDA COG.

Ms. Shrawder asked the mayor to sign the code of conduct for the file.

RESOLUTION FOR FILING PROPOSAL FOR FUNDS

Ms. Shrawder presented a Resolution for Filing Proposal for Funds for the Chestnut Street Project. This resolution is required for the Keystone Communities Grant.

Councilman Eister made a motion to have the application presented and signed by the mayor. Councilman Richard Reichner seconded the motion. The motion passed unanimously.

MATCHING FUND COMMITMENT LETTER

CES Engineering was asked to provide the city with a proposal for additional work for both the street light design from Front to 10th Street and traffic signal upgrade at 2nd and Chestnut St. The cost of this work is \$24,900 for traffic signal upgrade and \$15,000 for the street lighting. Ms. Shrawder asked that council accept the proposal.

Councilman Reichner made a motion to accept the proposal. Councilman Eister seconded the motion. The motion carried unanimously.

CODE ENFORCEMENT MAPPING

Ms. Shrawder informed council the Code Enforcement Mapping project is ready to move forward. A meeting will be held on January 20th at 4:00 pm at the Sunbury Municipal

Authority. All of the blight indicators that have been talked about in the past will be mapped and have someone get started with the data entry from the Code Office, the Police Department, the Tax office and the Sunbury Municipal Authority.

CDBG 101

Ms. Shrawder will be holding a CDBG 101 for the new councilmen at their convenience.

SRI UPDATE

Meghan Beck informed the council that late night shoppers' event was a success. This year's participants would like to participate again.

The Keystone Communities application is still awaiting approval from DCED. She hopes to receive it in the next month or so.

The 2014 membership campaign has begun. Ms. Beck encouraged everyone to become members of SRI.

The Lite Fest decorations are in the process of being removed.

The new Albright Center council will be meeting for the first time this week. They will begin getting organized for the project. They are still looking for additional funding sponsors.

The Hometown Veteran banners applications are now being accepted for both new banners and the re hanging of existing banners.

The Business and Economic Development committee is still working on a vacant building list and a survey on how to attract new businesses to the area. This survey is a prerequisite for applying for marketing funds.

Ms. Beck thanked the grand sponsors of the New Years Eve Celebration: Hollenbach on the park, Service First Credit Union; Nichols Mechanical, Weis Markets, PPL, Sunbury's Eagle, Sunbury Community Hospital and Sunbury Motors. She also thanked all the volunteers. There were about 2000 people in attendance. There has been a lot of positive feed back. The event was also recognized in the list of oddest things dropped for New Years.

Ms. Beck said SRI is in a transitional phase with the close out of the Elm Street program and losing the manager.

Ms Beck also informed those in attendance about the WVIA Our Town project. There is an opportunity for the public to get involved in this video project. There will be a meeting on January 16th at the Degenstein Community Library.

The mayor would like to see this project used as a marketing tool and also encouraged people to get involved with the project.

REDEVELOPMENT AUTHORITY

Mayor Persing stated the Authority is working on updating their property list. The list is down from over 50 blighted properties to about 10. They are also deciding what properties will be sold at the next auction. The Authority will be holding a retreat in the next 4 to 6 weeks to plan their work for the next year.

APPOINTMENT OF DIRECTOR OF ACCOUNTS AND FINANCE

Councilman Henry made a motion to appoint John Shipman as director of accounts and finance. Councilman Reichner seconded the motion. The motion carried unanimously.

Mr. Shipman will fill the unexpired term of former councilman Kevin Troup.

CODE ORDINANCE CHANGE

Councilman Reichner would like to make changes to PM 10041.4 ~ The Code Enforcement office may impose a re inspection fee of \$25 if 2 or more inspection are required. Failure to appear for the inspection will result in double of the fee. He would like to change it to the Code office will impose a \$25 fee per unit for every re inspection that fails to make the required repairs within the allotted time frame for all violations listed on the original inspection form.

Councilman Eister said he didn't see that in his packet and he hasn't had time to review it. He is concerned about hammering the property owners with another fee. He also inquired if the Code Officers don't show if the property owner would be given \$25.00. Councilman Reicher said the officers would use their discretion on when to access the extra fee. He noted the Code Office is moving in a new direction and the officers are empowered to do their job. He will only intervene when necessary.

It was decided to table this issue until all concerns could be addressed.

ACT 90

This was tabled.

MILLER STREET WAIVER

Brian Falso is asking for a waiver of the storm water management plan for 1006-1010 Miller Street. This property was purchased from the Redevelopment Authority. Mr. Falso is planning on building a 2 unit building on it. The Code Book says any building over 5,000 square feet needs a plan. Councilman Reichner asked City Engineer John Bakowicz for his opinion. Mr. Bakowicz has reviewed the information Mr. Falso submitted from his engineer. The calculation shows after the development of the property there will be less flow than what it was with the original building. Mr. Bakowicz agrees with the information that was provided and agrees the waiver should be granted. Councilman Reichner made a motion to grant the waiver. Councilman Eister seconded the motion. The motion carried unanimously.

APPROVAL TO PAY INVOICES

Councilman Eister made a motion to pay the outstanding invoices of \$87,812.84 from the General Fund and \$5,172.42 from Liquid Fuels. Councilman Reichner seconded the motion and the motion carried unanimously.

RELIEVE THE TAX COLLECTOR FROM COLLECTING 2013 TAXES

Councilman Eister made a motion to relieve the tax collector from collecting 2013 taxes. The motion was seconded by Councilman Henry. Unanimous vote.

APPOINT DELINQUENT TAX COLLECTOR

Councilman Reichner made a motion to appoint Statewide Tax Recovery as the delinquent tax collector. Councilman Eister seconded the motion. The motion carried unanimously.

DELIVER DELINQUENT TAXES TO DELINQUENT TAX COLLECTOR

Councilman Henry made a motion to deliver the delinquent taxes to Statewide Tax Recovery. Councilman Eister seconded the motion. The motion carried unanimously.

TAX EXONERATION

Councilman Henry made a motion to accept the tax exonerations. Councilman Reichner seconded the motion and the motion carried unanimously.

2014 BOARD APPOINTMENTS

Councilman Eister made a motion to accept the following appointments:

Civil Service – Ted Andrewlevich (3 year team)
Housing Authority – Michael Hogan (5 year term)
HARB – Dan Strausser and Cindy Inkrote (4year term)
Zoning Hearing Board – Jesse Woodring and Jean Eckrod (3 year term)
Board of Appeals - Todd Rebeck and Preston Ross (3 year term)
Municipal Authority – Norman Koch and Thomas Mc Bryan (5 year term)

Councilman Reichner seconded the motion. The motion carried unanimously.

Councilman Henry made a motion to accept the following appointment:

Recreation Board – Ron Pratt (4 year term), Mindy Hoffman, Linda Hare, Jenna Eister and 1 vacancy. (1 year term)

Councilman Reichner seconded the motion. Yes ~ Henry; Persing; Reichner.
Abstaining ~ Eister

AUDIENCE COMMENT

Drake Saxton asked several questions about the cameras and their installation. He claims he has asked these questions at previous meetings and has not received any answers. Mayor Persing asked if he wanted to leave the questions. Mr. Saxton said he would get them. He then proceeded to ask the questions. Mayor Persing answered his questions. Councilman Eister reminded Mr. Saxton that Chief Mazzeo is the only one with the ability to access the cameras and should be able to answer all of his questions.

Mr. Saxton stated the cameras were not effective in solving the recent murder. Councilman Eister asked Mr. Saxton to ask the chief his opinion on it. Chief Mazzeo declined to answer how the camera were used since it is an ongoing investigation but said they were used doing the investigation.

Mr. Saxton stated the cameras were of no use during a robbery of children at the skate park on August 23, 2013. Chief replied he wasn't sure if the cameras were active at that time.

Mr. Saxton suggested the cameras should be re-positioned to high crime areas. When pressed for those locations, he was not able to supply an area and deferred to the chief. He believes there should be more cameras in the downtown and less at the river.

Mr. Terry Marshall asked Councilman Reichner to come down and go through 239 Spruce Street. It was condemned Oct 12, 2006 and has not been touched until this past summer when the Public Works Department removed some trash from the area around the building. Mr. Marshall asked Police Officer Corey Zerbe to describe the property during his visit to it. Officer Zerbe stated he was at the meeting as a private citizen and not in the capacity of a city police officer and deferred to the chief. Chief Mazzeo told Mr. Marshall to file a Right to Know request and if a report was available it would be given to him.

Mr. Marshall insists the city owns the property since the city asked him if he wanted to buy it. The City of Sunbury does not own it but would help Mr. Marshall acquire it. Mr. Marshall has declined to acquire the property.

Tim Bowers commented that the city is owner of record by civil action since September 2007. This was done when a declaration of taking was filed. However Councilman Henry pointed out that Judge Saylor will not sign off on this property until the owner can be notified. Councilman Henry stated he has researched this property as well and it states in the paper work that it will not move forward until the property owner is notified. Councilman Henry informed Mr. Marshall that he needs to speak with Judge Saylor.

Mrs. Marshall questioned what has been done to find the owner of the property and what the city will do to alleviate the blight of this property. Councilman Eister has found a nephew who will try and find her. But there were no guarantees that she will be found. Mayor Persing informed her that an ad was placed but the Redevelopment Authority has no way to address issues in one half of a double house. Unless the Redevelopment Authority owns both halves, it can not address the issue. The only thing the Redevelopment Authority could do is to get possession of the blighted half and give it to the owners on the other side.

Mrs. Marshall asked if they would purchase their half of the property. Mayor Persing said the Redevelopment Authority can not buy an occupied house because of the regulations. The Redevelopment Authority has only bought properties that were empty because of the Block Grant regulations.

Councilman Eister suggested waiting until the owner is found so she can be served. The judge will then sign off on the property. Mayor Persing asked the Marshalls if they would take the property if the Authority could get possession of it. Mrs. Marshall said they do not want the property because it will be a money pit.

Councilman Eister stated he thought the Authority could offer an incentive to fix up the blighted property. He asked Ms. Shrawder if that was possible. Ms. Shrawder was not aware of any programs at this time. Unless it could be done through the HOME program which is income driven.

Mr. Marshall then moved on to the property located at Second and Spruce Street. He claims there are pigeons living under the roof and the owner says she is going to rent space out in the building. He wants to know if an inspection has been done. Mr. Marshall said when he spoke with the Code Office he was told that it has not been inspected in 10 years. Mayor Persing said the Redevelopment Authority is only dealing with housing at this time.

Mrs. Marshall asked Tim Bowers if he had anything else to say. He stated once the City filed the Declaration of Taking possession passes immediately to the entity filing it. But actual possession does not take place until just compensation can be determined. He said that creates problems because the entity has title but not possession which is where the city is at. He claims the city owns it and is responsible. Mayor Persing stated he is not going to argue with him about it. He also stated the city's attorney says the City does not own it. Mrs. Marshall suggested getting other counsel because she feels the city is not getting good legal counsel from him. She said the city owns the property and it has major code violations. She said the walks were not shoveled as well. She feels this is a major health and safety issues for her family. She also feels she is only getting lip service from the city and council. She also feels that they have been patient and kind but enough is enough. She wants something done with the property because it is affecting her family and home. Mr. Marshall said he will get a meeting scheduled with the city solicitor, their attorney and Judge Saylor to get the issue settled.

Ms. Stephanie Schwartz questioned what was going on with the cat ordinance. She said her father had brought the issue to council some time ago. Mayor Persing stated the city has reviewed several ordinances but there has not been enough support from the former council to pass anything. He said the new council would review the notes from the last year to see if they want to pursue it.

Ms. Schwartz gave some background on what has been going on around her property. She gave a little family background. She claims she can not use anything outside because of the cat feces and vomit and garbage. She also claims her children have flea bites even though she has no animals. She claims the cat population has gone from 2 to 5 to 25 cats that the neighbors are feeding. She has asked the neighbor to take the cat food inside and asked them to clean up the messes that the cats are making. She read a letter she said was from her neighbor about some of the issues going on at the property. Mayor Persing said the issue would be put back on the agenda for the new council to consider. They will consider an ordinance about outdoor feeding.

Councilman Reichner said the city can not force the neighbor to remove the feeding dishes if she has animals. The SPCA would get involved. He also said cats are not domesticated animals and can not be licensed. Nor can the city enact a leash law for them. He advised Ms. Schwartz to trap them.

Ms. Schwartz also asked about parking. She was informed that parking on the street was all public.

Regina Russell wished everyone a Happy New Year and welcomed the new council people. She said she received a call from the Code Office about the ice on her sidewalk. She noticed that ice also accumulates at the curb cuts for the handicap. She would like to know who is responsible for clearing that. Councilman Reichner said the property owners were responsible for the sidewalks. Ms. Russell does not believe she is responsible for the curb cuts that are for handicap access. Mayor Persing said the city is responsible for the city owned streets and the state is responsible for the state owned streets. Treasurer Troup told Ms. Russell to call the City Barn and ask them to run the salt spreader a little closer to the curb.

Ms. Russell questioned if an inspector came out to verify the ice on her sidewalk shouldn't they have noticed the ice in the intersection and taken care of it? Or does she have to make a phone call to bring it to their attention. Councilman Henry said if the issue is on the ramp then it is the property owner's responsibility. Ms. Russell disagrees that it is her problem. The street is the city's responsibility.

Ms. Russell announced that she is a volunteer with the American Red Cross and she will be passing flyers about a new program called the Veteran's History Project. She is hoping the veterans in Sunbury will participate in it. Veterans who volunteer for the project can call 717-257-1822 extension 1222 to have their history and background recorded and videoed to be archived in the Library of Congress. Ms. Russell was told if she got a flyer to the city, it would be posted on the city's website.

A question was asked on how long you have to remove snow from sidewalks. Property owners have 24 hours from the time it stops to remove snow and ice from the sidewalks. The Code Office is responsible for the enforcement of this ordinance.

With nothing further to discuss, the meeting was adjourned.

Respectfully submitted,

Cheryl E. Delsite
Administrative Assistant