

CITY COUNCIL
Sunbury PA 17801
January 9, 2012
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
Todd E. Snyder, Director of Accounts and Finance
Joseph J. Bartello, III, 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 Martina, City Controller
Michael Apfelbaum, City Solicitor
Stephen Mazzeo, Chief of Police
Joseph Swope, Code Office Supervisor
Michael Rhoads, Property Maintenance Inspector & Fire Chief
Terry Specht, City Clerk

There were fifty-eight (58) visitors present.

MINUTES AND REPORTS

The Minutes of 10/24/2011, 12/12/11, 12/26/11 and 1/3/2012 and the available departmental reports of the Police Dept., Treasurer's Office, Controller, Health Dept., Fire Dept., City Engineer, Code Office, Park and Recreation Department, Public Buildings (Rink), Park and Recreation Board, Public Works Dept., Planning Commission, Redevelopment Authority and Police Pension Board are in the City Clerk's office for review. Motion to accept Persing. Second – Eister. Unanimous vote. Minutes will be posted at cityofsunbury.com

OATH OF OFFICE

Mayor Persing issued the Oath of Office to Lisa Martina, City Controller and Edwin Quiggle, Jr., 9th Ward Constable and the following members of the fire department:

Jason Lehman, Battalion Chief (Jason is a 4th generation fire fighter)
Richard Sinko, 3rd Assistant Chief
Russell Wertz, 2nd Assistant Chief
Kenneth Kipple, 1st Assistant Chief
Michael Rhoads, Fire Chief

Mayor Persing thanked the members of the Sunbury Fire Dept. and the dedication they give the City and thanked their families as well. They make a huge difference to the City and are greatly appreciated.

BOARD APPOINTMENTS

Mayor Persing moved to appoint/reappoint the following:

Civil Service – Jeffrey Bittner term to expire 12/14
Housing Authority – James McKinney term to expire 12/ 16
Municipal Authority – John Michaels term to expire 12/16
HARB – Gary Wolfe term to expire 12/15
HARB – Frankie Jones term to expire 12/15
Planning Commission – Larry Welfer term to expire 12/15
Planning Commission** – Lisa Kipple term to expire 12/15 (** new appointment)

Second – Eister. Unanimous vote.

Mayor Persing moved to reappoint the following to the Recreation Board – Mindy Hoffman, Linda Hare, Jenna Eister, Malcolm Johnson, all 1 year terms. Second – Troup. Yes – Snyder, Bartello, Troup, Persing. Abstain – Eister. Motion carried.

REDEVELOPMENT AUTHORITY UPDATE

Mayor Persing said the next property going for sale is 202 Washington Ave. An open house was held a few weeks ago for anyone to look at the property that might be interested in it. The Redevelopment

Authority will not be selling this parcel for anything but a single home to be built on it. If a contractor comes in and wants to rehab it themselves, a sale will be considered.

SRI UPDATE

Ms. Kristen McLaughlin reported the following:

1. Hometown Veteran's Banner Project – this project has started and sponsorships are being accepted. Forms are at all Susquehanna Bank locations, Veteran's organizations, SRI office, County Admin. Center and City Clerk's office.
2. Kristen and Terry have been working with Professor Ben Marsh from Bucknell University. In mid-February several of his students will be conducting a distressed housing survey. They will be working in conjunction with Jamie Shrawder of SEDA-COG to be sure the information can be used by the Redevelopment Authority.
3. A public meeting will be held on Tuesday January 24th to unveil the plans for the Wolverton St. project. Location to be announced.
4. A 3-day community initiated feasibility study will be started at the Bitner building at the end of March. The PA Downtown Center is paying \$5,000 of the cost and the property owner is paying the remaining \$5,000. Kristen has a list of community experts that will be needed.

RIVER FRONT PROJECT

The contractor for Phase II is still working. The fishing pier and the marina are being worked on now. The tentative completion date is the end of May. They will continue to work until the weather gets too bad. Councilman Bartello asked if reimbursements have been received and Councilman Eister answered yes they are. Ms. Kremer said a large check was just received last week.

Councilman Eister moved to pay HRI for payment request #12A in the amount of \$182,773.17. Second - Troup. Unanimous vote.

Councilman Eister moved to pay HRI for payment request #13 for \$282,251.79. Second – Troup. Unanimous vote.

Councilman Eister explained that an extension is needed for the loan and line of credit since the project has gone longer than anticipated. He moved to request a 2 year extension for both loans so another extension will not be required. Mr. Apfelbaum explained it is an extension on the rates that currently exist. Second – Troup. Unanimous vote. Mr. Apfelbaum will prepare the letter needed by the bank.

YODER PROPERTY MEMORIAL DRIVE

Mayor Persing explained that he spoke to Mr. Yoder and he is interested in selling this property. Mayor Persing moved to have an appraisal done on the Yoder land on Memorial Drive which consists of 9 vacant lots. Councilman Bartello asked what Mr. Yoder wants for the property and Mayor Persing answered it is listed at \$90,000. Second – Troup. Yes – Persing, Snyder, Troup, Eister. No – Bartello. Motion carried.

LANDLORD/TENANT ORDINANCE

Mayor Persing stated that there was a meeting with the Borough Manager from Berwick and a committee consisting of Councilmen Bartello, Troup and Snyder was appointed to discuss the Berwick ordinance to see what in their ordinance might work for the City of Sunbury. Enforcement might be an issue and he would like to see if it is enforceable at this time. The committee should bring their recommendations to the February 13th meeting. An inspection lasts approximately 45 minutes to 1 hour and they have 2 officers as well. They did about 1900 inspections in one year. Mayor Persing said Councilman Bartello said the Sunbury code office did 208 inspections but there were 899. Councilman Bartello said that includes re-inspections. Mayor Persing said he is looking at the time it takes for inspections. Councilman Eister said Sunbury's code officers have to do all their own scheduling and paperwork and the part-time office clerk in Berwick does all that for the officers. Councilman Troup stated that Mr. Pepe said some of the properties are not reinspected if the infractions were minor. Sunbury's officers do reinspections for minor items. The committee should take all this into consideration. Councilman Bartello said email reminders might be an answer. Councilman Troup said the impact of the new ordinance could be dramatic and he feels council should sit down together and discuss it item by item. That way, all questions will be answered at one time. Mayor Persing said he felt if the committee looked at it first and tagged the items they were adamantly against and bring those items to council, it would be easier to pass a good ordinance. Councilman Troup continued that if this is done in the proper way with the right tools, it could be a role model for the state. Councilman Bartello said the 3 committee members could meet and then the rest of council could meet. Councilman Snyder said he is concerned because if something of this scope is enacted and what the impact can be, it drives restructuring the code department and how they function daily. At this time the tools are not in place. Councilman Snyder said if the committee looks at it from an operational

standpoint and some of the language of the ordinance, council should then sit down and review all aspects to be sure it works.

AMNESTY RESOLUTION/PROPERTY RENTAL PERMIT

Mayor Persing knows there are property owners renting their property without the proper rental permit. He is proposing an amnesty period for property owners to come to the code office to get permits with no penalty and pay \$500 for it instead of \$1,000. After a set time period, when a property is found to be a rental without rental permits the owner would be prosecuted per the City Code. There are some instances when an owner doesn't know they need a permit or the house has been handed down in the family and might not have a rental permit. Councilman Bartello said he thinks the \$1,000 permit fee should be gotten rid of altogether. Councilman Eister said that is not fair to the owner that paid the \$1,000 fee. Mr. Brad Neimic asked if someone paid the \$500 considered in the Amnesty Resolution and it doesn't meet the current criteria, what would happen. Mayor Persing answered he would not get the rental permit in that instance. After general discussion, Mayor Persing moved to pass the Amnesty Resolution as presented (see attached). For lack of a second, the motion failed.

COMPREHENSIVE PLAN REVIEW

The Planning Commission members have requested a 45 day extension to the public review period so they have time to thoroughly assess the plan as presented. The economic development portion has not yet been completed. Mayor Persing moved to grant a 45 day extension for public review of the Comprehensive Plan. Mayor Persing reminded everyone that this is a plan, it doesn't mean that everything in it will happen. Second – Bartello. Unanimous vote.

TRANSFER LIQUOR LICENSE

Councilman Eister moved to pass a Resolution to transfer PLCB #R18655 L.I.D. #62142 to Sunbury for use in the Market House. Mr. Apfelbaum explained that liquor licenses can be moved within the county. The venue would showcase local items showcased in the Market House. Second – Troup. Unanimous vote.

CITY PROPERTY LIST RESOLUTION

Mayor Persing moved to adopt the City Property List Resolution (see attached). This Resolution would establish a city-wide listing of all residential properties and it would include the name of the trash hauler or proof of self-removal of trash and recyclables per Section 130.4P "Section PM-801.3 of *The Code of the City of Sunbury*. It would also be a list to see if taxes are paid on parcels in the City. It will probably take about a year to get this list established on a spreadsheet with the information needed. Councilman Snyder asked if it should be mentioned to cross-reference water/sewer bills as well. Mayor Persing said that could come under any other information as determined. Councilman Bartello asked if the Resolution was just asking for what the garbage ordinance now asks for and the answer is yes. Second – Eister. Unanimous vote.

313-315 VINE ST.

Councilman Bartello asked if the Redevelopment Authority or the City owns 313-315 Vine St and who is liable if it comes down on its own. Mr. Apfelbaum answered that the Redevelopment Authority owns it at this time. Councilman Bartello asked if it is insured and Mr. Apfelbaum said yes it is. Councilman Bartello asked since it is beyond the 90 days, is the Redevelopment Authority donating it to the non-profit organization or since it is setting a bad precedent going past the 90 days, the next person that purchases a property may think they don't have to do anything in the time frame given. Mayor Persing said he thought the paperwork would have been processed on time if it were not over the holiday season. Councilman Eister said the purchaser, Mr. Stan Seiple, wanted to put a warehouse on the property but had problems with BIU. Councilman Bartello said no one held up that building permit. Councilman Eister said they held up the prints he sent in to be approved for 60 or 90 days. Seiple's walked away from the project. Mayor Persing said he held a meeting with BIU to try to get the permit moving forward and was not successful. Councilman Bartello asked why the City does not give the parcel to the non-profit instead of letting the Seiple's do that. Mayor Persing said if it is past the 90 days it could go back to the Redevelopment Authority and rebid it. Councilman Bartello said the legal fees are killing the City on Redevelopment Authority business. Mayor Persing said it would be between Seiple and his attorney to sell or donate it at this point. There should be no more legal fees for the City. Councilman Eister said the issue is getting the property torn down. Mayor Persing asked why use the City's money when the owners of the property can pay for it? There was a public auction and only 1 bid was received. Councilman Bartello said it is ready to fall down so the City should take it down. Councilman Eister asked Mr. Apfelbaum to explain the process. Mr. Apfelbaum said the original owner transferred the property to the City of Sunbury on a deed because it burned and he did not have insurance money to repair it. The City, through the Redevelopment Authority advertised the auction. The Seiple's were the only bidder. Seiple's did not go through with the real estate transaction

because they were not satisfied with the way the plans were coming through for the future of the building. There was never a closing on the property. The time has expired under the agreement of sale for the Seiple's to buy the property so they would confirm in a letter saying the deal is off and the City advertises another auction for this property. He suggested that the advertisement is done and see who comes in to purchase it. Councilman Eister said he thinks the Seiple's should say they will pay the \$500 for the property, and deed it over to the non-profit. That would save all advertising costs and extra time before the building is torn down. Mr. Apfelbaum said council's goal is to get rid of these blight properties and not spend a lot of money doing it. Councilman Snyder said he feels an important step is to establish a finite set of rules and protocols for future dealings with the Redevelopment Authority selling properties. Mr. Apfelbaum clarified that the agreement of sale that is signed, if people close within the required time, they get the deed to the property. If they don't close, it expires. Mr. Apfelbaum said there were 3 other auctions on the same day and all of those transactions occurred with no problem. Mayor Persing said he would talk to the Seiples and guaranteed the neighbors attending the meeting that by the next council meeting the property would be torn down or there would be a date scheduled that it would be torn down.

RELEASE TAX COLLECTOR FROM COLLECTING 2011 TAXES

Councilman Snyder moved to release Elizabeth Kremer from collecting 2011 taxes. Second – Eister. Unanimous vote.

APPOINT DELINQUENT TAX COLLECTION AGENCY

Councilman Snyder moved to appoint Central Credit Audit as the delinquent tax collection agency to collect delinquent 2011 taxes. Second – Eister. Unanimous vote.

DELIVER DELINQUENT 2011 TAXES TO DELINQUENT TAX COLLECTION AGENCY

Councilman Snyder moved to deliver the delinquent 2011 taxes to Central Credit Audit to begin to collect the delinquent taxes. Second – Eister. Unanimous vote.

VOUCHER'S PAYABLE REPORT

Councilman Snyder moved to pay the invoices reported on the voucher's payable report in the amount of \$33,506.51 from the general fund as funds are available. Second- Eister Unanimous vote.

TAX EXONERATION

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

BLIGHT PROPERTIES

Mr. Apfelbaum explained that the City Council acting as the Board of Health will be taking action on the following property addresses: 349 Chestnut St (owner wants to transfer ownership to City of Sunbury), 121 Julia St (next to 1031 N. River Ave. which the City has and both of them would make one nice lot), 160 Linden St, 143 Walnut St, 1106-1116 Miller St (huge property that was burned-out and was torn down by the City), 608 S. Front St., 128-130 South St. Councilman Eister moved to authorize the Resolution for taking of the properties to remove blighted conditions and authorize the Mayor to sign all documents. Second – Bartello. Unanimous vote. Mayor Persing said the goal of the Redevelopment Authority is to turn these properties as soon as possible without spending money on them. Councilman Eister is tracking down the attorney involved with a blighted trailer at 1027 Miller St. so that property can be followed-up on.

AUDIENCE COMMENT

Ms. Karen Ray said she lives next to 313-315 Vine St. She has been dealing with the condition of that property for 8 months. She had to change her heating system because the oil company would not deliver oil. She could not put siding on her home because no one will go between the houses. She attended the auction and it was stated that the new owner had 90 days to do something with the property. She said now she will have to wait several months before anything is done again. Mayor Persing explained that council just decided that in 2 weeks something would be done with that property or a plan would be put in place for the demolition.

Ms. Helen Graeff lives at 321 Vine St. and said she has lived in that house all her life and never saw rodents but now she has seen many. She also said there are lights inside the house at times and she is worried they are using candles. She has called the police but they haven't done anything about it.

ANNOUNCEMENTS

2012 CDBG Projects are due to Jamie Shrawder by January 16, 2012

Citizens in Action/Volunteers Within City Government – Mayor Persing explained that if anyone is interested helping in various city departments they should contact the Mayor's office. There are many volunteer opportunities. Councilman Troup said Mr. David Whipple is volunteering in the police department at this time.

Mayor Persing congratulated the Sunbury Flood Department for the federal accreditation received on the flood wall. They put a lot of hard work into that project and it saved property owners from having to purchase flood insurance.

Councilman Eister reminded council and audience members that the City's 250th anniversary is in 2022 and planning for that event should begin soon.

CareerLink is having an Open House on January 18th from 2-6 pm.

The Comprehensive Plan public meeting is scheduled for January 19th at 7:30 pm in council chambers.

There being no further business the meeting was adjourned at 8:10 pm.

Respectfully submitted,

Terry Specht
City Clerk