

CITY COUNCIL
Sunbury PA 17801
July 9, 2018
6:15 pm

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

Kurt Karlovich, Mayor
Elizabeth R. Kremer, Director of Accounts and Finance
Richard L. Reichner, Director of Public Safety
Christopher Reis, Director of Public Works
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Kevin Troup, City Treasurer
Joel Wiest, City Solicitor
John Bakowicz, City Solicitor
Michael Rhoads, Zoning Officer
Paul Brown, Fire Chief
Terry Specht, City Clerk

Visitors present: 32

A moment of silent reflection was held prior to the beginning of the meeting.

Executive sessions were held July 3rd and July 9th to discuss personnel matters.

MINUTES AND REPORTS

The Minutes of 6/11/18 and 6/25/18 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 (bi-monthly) and Police Pension Board (quarterly) are in the City Clerk's office for review. Motion to accept by Karlovich. Second – Reis. Unanimous vote. Minutes will be posted at sunburypa.org.

PUBLIC COMMENT/AGENDA ITEMS

Regina Russell: When will landlord meeting be rescheduled? Councilman Reichner answered they are looking into things for both ordinances and a meeting date will be announced at a later date.

CHESTNUT ST. PROJECT

Councilman Eister moved to pass Change order #7 in the amount of \$55,408.86. Second – Kremer. Unanimous vote.

Councilman Eister moved to pay Pay Application #10 to be paid from the stated sources in the amount of UGI \$68,544.27, Liquid Fuels \$59,011.32 for a total of \$127,555.59 for Phase 2 of the Chestnut St. Project. Second – Karlovich. Unanimous vote.

Councilman Eister moved to pay Pay Application #11 for Chestnut St. Phase 2 – CDBG will pay \$52,667.99, city funds \$18,078.81 of which \$8,823.30 can be paid from miscellaneous CDBG income and Liquid Field \$5,454.86 for a total of \$76,201.66. Payment of CDBG portion of this invoice will be contingent on labor standards final review. Second – Reichner. Unanimous vote.

2nd READING/REPEAL CHAPTER 121 PEACE & GOOD ORDER/B & C

Mayor Karlovich moved to pass on a second reading the repeal of Chapter 121 Peace and Good Order B & C in their entirety (see attached). Second – Reis. Unanimous vote.

2nd READING/CHAPTER 89 SUNBURY FIRE DEPT COST RECOVERY

Councilman Reichner moved to pass on a 2nd reading the cost and recovery reimbursement for the fire department addition to Chapter 89. The intent of this ordinance revision is to attempt to recover costs as allowed under the applicable PA law. Second – Eister. Yes – Eister, Karlovich, Kremer Reichner. Abstain – Reis. Motion carried.

CITY FLAG

Mayor Karlovich read the following statement: “I feel that our great city of Sunbury is becoming quite divided in numerous ways, whether it being political parties or us in general as people. I have reached out to State Representative Lynda Schlegel Culver about the process of implementation of an official city flag. The information that she has returned to me allows our city to either pass by resolution or ordinance a city flag to represent our community. We have so much history here dating back to our founding in 1772 and even before. Our city deserves an official flag to represent Sunbury, to let everyone know that we are here, and we are here to stay. A flag can be unifying to our city and portray our history, our values and our pride. People that have never met before can feel unity towards one another knowing that they are part of the same community and the city can look to its flag flown high above in times of trouble and crisis and remember that the city will continue. I truly believe that we need this now more than ever. The person with the best flag design that is chosen to represent Sunbury will receive from the city, their design on a flag and a resolution placing them forever in the history books of Sunbury as the designer of the official Sunbury City Flag. Mayor Karlovich moved to begin to accept Sunbury Flag design submissions from anyone that feels their design will symbolize and represent Sunbury the best. Anyone can submit a Sunbury flag design if they follow the guidelines and rules that are attached to the official Sunbury Flag entry form and submissions and will be accepted until 4:30PM on December 31, 2018. Second – Kremer. Unanimous vote.

PA DOT ROAD CLOSURES

Councilman Reis moved to approve the road closures for the Fireman’s Memorial Parade on October 14, 2018 on Market St. Second - Karlovich. Unanimous vote.

AMENDMENT TO LEASE

Councilman Eister explained a meeting was held with CareerLink board members and an amicable rate increase was negotiated to include a 3% increase in rent making it \$100,425 annually. This is the first rate increase due to terms of the lease. Councilman Eister moved to accept this rate increase. Second – Reichner. Unanimous vote.

RESOLUTION/OPEN CONTAINER WAIVER FOR RIVER FESTIVAL

Councilman Eister moved to allow the waiver for open containers for River Festival August 17th and 18th. Second – Reis. Unanimous vote.

RESOLUTION/ARLE GRANT

Councilwoman Kremer moved to pass the Resolution authorizing the mayor to sign all documents pertaining to the Automated Red Light Enforcement Program Project Funding Agreement. Second – Reis. Unanimous vote.

APPROVAL TO PAY INVOICES

Councilwoman Kremer moved to pay the invoices reported on the voucher’s payable report in the amount of \$156,138.40 from the General Fund. Second – Reis. Unanimous vote.

TAX EXONERATION

Councilwoman Kremer moved to pass the tax exoneration as requested by Statewide Tax Recovery. Second – Karlovich. Unanimous vote.

CHIEF OF POLICE

Solicitor Wiest read the following statement written by Mr. Wiest and approved by Chief Miller. “It is with great sorrow that I must announce the end of the employment of Timothy Miller as Chief of Police for the City of Sunbury. For those who do not know, Tim is a close personal friend of mine and I am sad to see him leave his current employment. However, I know Tim will go on to do great things in life, especially with the support of his loving wife and children. Many of you may be surprised but Tim leaves the city without controversy on either side. We are sorry to see him go and I know he is disheartened to leave but his respite from the field of law enforcement is definitely in the best interest of all involved. With Tim’s permission I will give you as much detail as possible concerning the reason from his departure from our force. Again, it may be a surprise, but Tim has been suffering from hidden wounds that have caused him much distress in his professional and private life. Tim has battled and suffered in silence from pain most of us could hardly imagine. While Tim’s wounds are not visible to most who he interacted with daily, they are very visible to his family who have shared Tim’s struggle for many years. Until recently, Tim has suffered alone, today, we offer our support and prayers to him and his family. We have all arrived at an agreement that is in the best interest of Tim’s health to retire from his over 20 year law enforcement career to pursue other passions in his life. Given the obvious legal constraints I cannot go into the specifics relative to Tim’s diagnosis. Also, due to legal constraint, I cannot go over the specific terms of the employment separation agreement between Chief Miller and the City, most of which has been dictated by the terms of the Chief’s employment contract with the City. What I can specifically tell you is that by mutual agreement, Tim will immediately be placed on administrative leave which will end April 31, 2019 and he will be paid accordingly until such date, as per his contract.” Mayor Karlovich moved to accept the terms of the employment separation agreement between Tim Miller and the City of Sunbury. Second – Kremer. Unanimous vote. Mayor Karlovich stated that Corporal Brad Hare is the Officer in Charge on a temporary basis for the Sunbury Police Department. Mayor Karlovich read from a statement: “No one could ever have foreseen the possible amount of loss this year that our Sunbury Police Department and our city budget is currently facing with losing officers for various reasons. Every time an officer leaves employment from us, we must take from the budget and pay them the benefits they have earned. The current status of the Sunbury Police Department consists of 7 FT officers, 2 PT officers and 1 new recruit from the recent Civil Service testing who becomes available to hire as a FT officer in September. The remainder of 2018 will definitely be tough for all the officers of the Sunbury Police Department. I have full faith in our Sunbury Police Department and we shall pull through this. 2019 will be a success for the City of Sunbury and our Police Department. It takes time to adjust to unforeseen changes and to adapt accordingly and to find the resources that are needed. We must all work together and have patience until then and have trust in the process. Towards the beginning of this year, Tim Miller announced that he had turned over the Barbara Miller investigation to Cpl. Travis Bremigen. To the family and friends of Barbara Miller and to all the followers of this re-opened investigation, be it known and understood, that this case is not and will not be affected in any way by Tim Miller no longer being the Police Chief in Sunbury. I remain absolutely committed to bringing justice to anyone involved with the disappearance of Barbara Miller. Cpl. Bremigen will continue to spearhead this investigation in order to bring Barbara Miller and answers to her loved ones.” Mayor Karlovich moved to accept the terms of the Employment Separation Agreement between Tim Miller and the City of Sunbury. Second – Kremer. Unanimous vote.

CERTIFICATE OF RECOGNITION/SUNBURY POLICE OFFICERS

“We all should treat officers with respect and courtesy because that is what they deserve. I have conducted ride-alongs with numerous officers on different times and dates to be able to view how our officers are patrolling the streets, receiving calls, their interaction with the general public and what they have to deal with and to show them they have the support of their mayor. I have witnessed young kids run up to our officers to give them high-fives, a hug or a specially made drawing and to say thank you. I have seen the interaction between our officers and members of the public that are disabled, young and old, and minorities. Our police officers do show that our department is here for the betterment of our community. I have also seen what our officers truly deal with while patrolling our streets and the interactions of those who do not cooperate or are negative with the police department. I have witnessed our officers being called pigs and oinking sounds made by the public to the officers while they are patrolling the streets. I have seen the negative interactions of those who have broken the law and are cursing at our officers which tend to make the situations more intense for all involved. I want our Sunbury Police Department to know that I truly support our police and will do my best to promote the positive and bring about a better and stronger Sunbury for all. Being

a cop is tough work because they are dealing with all the negative and the worst actions of people. It has been brought to my attention recently that 2 of our officers have been recognized for their courageous support to another municipality. Sunbury Police Department Corporal Travis Bremigen and Patrolman Kiefer Bathgate both received a Meritorious certificate (see attached) from Mayor Brown of Shamokin and a Certificate of Recognition (see attached) from State Representative Kurt Masser for their courageous actions of providing support to the Shamokin police department during an armed stand-off incident on February 26 & 27, 2018. Thank you Cpl. Bremigen and Patrolman Bathgate for your courageous actions and support of another municipality during a time of need, and thank you to the entire Sunbury Police Department for all you do and have to deal with.”

ANNOUNCEMENTS

Meeting with landlords scheduled for July 10th is cancelled until further notice.

The next city council meeting will be held on July 23, 2018 at 6:15 pm.

There being no further business to discuss the meeting was adjourned at 6:37 pm.

Respectfully submitted,

Terry Specht, City Clerk