

CITY COUNCIL
Sunbury PA 17801
September 9, 2013
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
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:

Stephen Mazzeo, Chief of Police
Ken Long, Asst. Workforce Supervisor
Michael Rhoads, Zoning Officer and Fire Chief
Terry Specht, City Clerk

There were thirty-four (34) visitors present.

MINUTES AND REPORTS

Minutes of 8/12/13 and the 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 Eister. Second – Persing. Unanimous vote. Minutes will be posted at cityofsunbury.com.

PUBLIC COMMENT/AGENDA ITEMS

None

SRI UPDATE

Ms. Jess Runkle updated council on the status of the 1st Annual Lake Augusta Wine & Brew Festival to be held on September 21st. There are 200 tickets left to sell. They are finalizing the Keystone Communities application for designation to create a Main St/Elm St combination area. SPARC is waiting to hear about the NPP tax credit program. The Veteran banners will be taken down in November and cleaned and returned to those that do not want to hang them again. The Hill Neighborhood yard sale is Saturday September 14th from 8 am to 3 pm. Approval has been received from DCED in regard to the Streetscape project in the 1200 block of Market St.

REDEVELOPMENT AUTHORITY

Mayor Persing announced that Jamie Shrawder/CDBG and the Redevelopment Authority will be going out for bids for legal services for CDBG projects that include condemnation, site control, acquisition, demolition and disposal of blighted property for a 3 year period.

Mayor Persing also said 2 Resolutions had to be passed for the properties located at 160 Linden St. and 1106-1116 Miller St that states the funds realized from the sale will be deposited in the Redevelopment Authority's account to be used for future blight removal. He moved to adopt the Resolution for 160 Linden St. Second- Eister. Yes – Troup, Eister Persing, No – Bartello. Motion carried. Mayor Persing moved to adopt the Resolution for 1106-1116 Miller St. Second – Troup. Yes – Eister, Persing, Troup. No – Bartello. Motion carried.

Mayor Persing said on Tuesday September 10th 3 properties will be auctioned beginning at 6:00 pm. They are 121 Julia St., 1031 N. River Ave. (these properties are next to each other) and 1126-1128 Wolverton St. The auction is advertised and open to the public.

2nd READING/OUTDOOR BURNING

Mayor Persing explained this was passed on a 1st reading in August. The proposed ordinance changes include adding under 53 d "Fires must be kept at least 10 (ten) feet from any structure or combustible exterior wall *or any combustible material.*" Councilman Bartello said he thought the changes made shown under 53 d included adding "*set back 10 (ten) feet from the lot line.*" He said that way they are away from any structure or combustible material. He said under 53 a it should read "*any duly*

authorized employee” that could go to a complaint if none of the 3 people are available. Councilman Bartello said especially since 2 of the people are the same guy at this time. He thinks any duly authorized person that would be deputized could enforce the ordinance if given permission. Mayor Persing asked Mr. Rhoads how many people he is interested in including from the fire department and he answered the fire chief’s staff which is a total of 5 people. Mayor Persing said the entire police department, 5 fire chiefs and the code officers should be enough and why is there a need for more. Councilman Bartello said that’s the way the code reads now. Councilman Troup asked who else Councilman Bartello has in mind. He answered anyone that could take care of it and is duly authorized by one of the people listed. He said it is a fail-safe and is over council’s heads. Mayor Persing said there are 19 people listed now. Councilman Bartello said never mind the lot line is the important thing he brought up. Mayor Persing asked if there was no structure, the fire still has to be more than 10’ away from the lot line. Councilman Bartello answered that is right and in any typical construction it is the same way. He said it will avoid confrontations down the road when somebody wants to put a garage in and the neighbor has a fire pit 3’ from the fence. Councilman Troup said in that case the garage is considered a structure. Councilman Bartello said they are hindering future use of someone’s property by not adding lot line. Mayor Persing said if someone has a permanent patio fire pit they are not going to be made to tear it out. Councilman Bartello said it should not be built there in the first place so they don’t run into the problem down the road. Councilman Bartello said if it was purchased at a store why can’t they just move it and Mayor Persing said he is talking about the permanent ones. Whatever is there now will be grandfathered. Councilman Bartello said there was an issue with the one discussed at a prior meeting. It did not meet the current code and on Labor Day they were building a fire and the police did not do anything about it. Mayor Persing asked Chief Mazzeo if that was the one where the caller said it was a 10’ fire and when the officer got there it was about 6” of flames. Mayor Persing said he supports being able to tell whoever answers the complaint that they have to put it out or it’s ok to have it. He is looking for a commonsense interpretation. Councilman Bartello said the one from the mayor’s example was not a store bought pit but a homemade one and it was discussed that it did not meet code. Ms. Regina Russell said where she lives there are 2 properties beside her house, her backyard is 10-12’ and she is understanding that her neighbors can burn as long as they walk the 10’ but they will still be close to other structures like the fence. She said people are ignorant when it comes to lot lines, especially tenants. She thinks the footage away from the structure should be more than 10’. Councilman Bartello pointed out that it does say the tenant needs approval from his landlord. Mr. Drew Bingaman said if anyone has a fire pit now and is grandfathered in, you will run into having to keep track of who is and who isn’t grandfathered. He said he thinks the wording should be within 10’ of a structure like it is now. He said most people don’t know where their lot lines or property lines are. Especially for enforcement purposes. Ms. Russell said she feels the 1:00 am time fires are to be put out should be changed because she has to call the police on her neighbors at 11 pm because of the noise ordinance. Sometimes the police can’t come because there is a shortage of officers and they have to answer more important calls. Mayor Persing asked if she was suggesting changing it to 11 pm to coincide with the noise ordinance and Ms. Russell answered yes. Ms. Ruth Riehl said she works swing shift and you just have to learn how to work around noise. Mr. Gene Swanger said in regard to flames shooting 10’ in the air, when gas or lighter fluid is used to start the fire the flames will be that high. Mayor Persing explained that happens with charcoal grills as well. He said that is unenforceable because the police would not be there when fires are started. Councilman Bartello said he would still like to see lot lines in there because there will be more problems down the road without it. Mayor Persing said the items discussed for change are adding lot line and changing the time fires should be put out. Councilman Troup said he thinks changing it to 11:00 pm would be better because it would save a lot of calls to the police department. Mayor Persing said he agrees with Mr. Bingaman that most people don’t know what their lot line is. Councilman Eister said they are not going to go around and survey things so it would be tough to find out where the lot line is. Mayor Persing moved to change the addition to the ordinance changing the time to 11:00 pm for fires to be out and add the fire chief and assistants. Second – Eister. Yes – Persing, Troup, Eister. No – Bartello. Motion carried.

APPROVAL TO PAY INVOICES

Mayor Persing moved to pay the invoices reported on the voucher’s payable report in the amount of \$28,926.32 from the General Fund. Second – Troup. Unanimous vote.

TAX EXONERATION

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

AUDIENCE COMMENT

Mr. Bob Werline asked what was going in to the building at Walnut St. & Lenker St. that used to be a daycare. He said there are rumors that a gentleman’s club is going in. Councilman Eister said the building is owned by Kent Nunamaker and there is no way he would allow that. Councilman Eister explained that is illegal in the city.

Ms. Meghan Beck said the Business & Economic Development committee of SRI is working on a marketing grant in order to market commercial properties and they have a list of about 80 properties.

Mayor Persing announced that Mr. Brian Habermehl, the Coordinator of Self-Advocates of Northumberland County, in conjunction with Mr. Ben Apfelbaum will be taking over the community garden area. The city did not have the resources to take care of the garden this year so this will be an improvement. They are going to keep the front part a community garden and they will develop a plan for the rest of the area. Mayor Persing said if anyone wants to volunteer to help with the clean up project they can call city hall. Mayor Persing further explained the Self-Advocates had a banquet and served items they grew from their garden. Mr. Habermehl said they grew about 20 lbs of potatoes and their own cabbage to make homemade sauerkraut. They had a banquet and served about 50 people. They are looking forward to being part of the garden and will need the community's help.

An unidentified person said you can't get out of your car if a tractor trailer is going by on Wolverton St. There should be more room for the cars to go through. Councilman Eister said the street is 14' wide and that is standard. It looks narrow because it was so wide before the construction project began.

Mr. Gene Swanger asked what was going on with street cleaning. Councilman Troup explained the street sweeper the city purchased is a lemon. He is in the process of negotiating with Johnson Corporation to either get the sweeper fixed or get a new one. It was purchased from Alliance Johnson who went out of business and Johnson Corporation is trying to help him with the problem. Municipal Services out of Philadelphia is also involved. The street sweeper is going to Philadelphia on Tuesday morning to be looked at. Councilman Troup is hoping they will replace it. Mr. Swanger said the storm drains are covered now with debris because the sweeper isn't picking it up. Councilman Troup apologized for the mess caused by not running the street sweeper. An unidentified female asked how many tickets are being given since it is broken down. Councilman Troup explained it is not a street sweeping ordinance – it is a parking ordinance that coincides with cleaning the streets. The ordinance can be enforced all year round but the city chooses not to enforce it other than when street sweeping is in progress.

ANNOUNCEMENTS

The final two Music in Cameron Park scheduled from 6 pm to 8 pm: 9-10 Kill Scheme and 9-17 Blue Dreams

The Lake Augusta Wine & Brew Festival is scheduled for 9-21 from 2:00 pm to 6:00 pm and tickets can be picked up at Brewer's Outlet or the SRI office for \$25.

There being no further business the meeting was adjourned at 6:45 pm.

Respectfully submitted,

Terry Specht
City Clerk