

CITY COUNCIL
Sunbury PA 17801
November 27, 2017
6:15 pm

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

David L. Persing, Mayor
Elizabeth R. Kremer, Director of Accounts and Finance
Richard L. Reichner, Director of Public Safety
Dale L. Henry, Director of Public Works
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Kevin Troup, City Treasurer
Brianna Apfelbaum Kula, City Solicitor
Michael Rhoads, Zoning Officer
Terry Specht, City Clerk

Visitors: 26

A moment of silent reflection was held after the Pledge of Allegiance.

PUBLIC COMMENT/AGENDA ITEMS

Mayor Persing asked for public comment on agenda items and there was none. Mayor Persing stated they would be discussing a new police building but that is not on the agenda. Anyone may speak to it during the discussion.

CHESTNUT ST. PHASE 2 UPDATE

Councilman Eister said the paving from the Chestnut St. Deli to the high rise will be done. The east side of Chestnut near the bend to 10th St will be the last section to complete before winter.

Councilman Eister moved to pay Hubler's HVAC in the amount of \$228.66 for work done at a property on Chestnut St. Second – Reichner. Unanimous vote.

Councilman Eister moved to approve Change Order #2 for \$48,391.66. Second – Reichner. Unanimous vote.

Councilman Eister moved to pay Pay App #6 in the amount of \$116,921.57 to G & R Charles. Second – Reichner. Unanimous vote.

APPROVAL TO PAY INVOICES

Councilwoman Kremer moved to pay the invoices reported on the voucher's payable report in the amount of \$32, 967.48 from the General Fund and \$2,995.28 from the Liquid Fuels fund. Second – Henry. Unanimous vote.

DISCUSSION

Sarah Stansbury from Line St. won a Chamber of Commerce essay contest that was open to students in 5 counties.

Councilman Reichner said Jason Lehman will be resigning as a Fire Chief due to finding employment out of state. The Fire Dept. has not decided yet what to do to replace Chief Lehman.

Mr. Troup said Captain Bennick would like to get the parking machine out of the Edison Plaza and make the lot permit parking only. Councilman Eister said some people pull in to go to the Dollar General Store and would request some meter parking in the lot.

New Police Building – Mayor Persing explained a brand new police building would cost approximately \$600,000. With the Norfolk Southern project some of the money could have gone to this project but since it was not passed the funding is not there. 337 Arch St. is available for purchase. There are 21 parking spaces. The price has been lowered to \$275,000. from \$325,000. It was appraised around \$292,000. It would be about \$125,000-\$200,000 to make changes to the building so it is suitable for the police. Councilman Eister said it would need new AC/Heat (changing heat to gas hot air from electric which is too expensive to maintain). The interior needs work to make it suitable for a police station. The roof was installed in 2005. Air and electric was upgraded in 2001 and exterior painting was done in 2014. The square foot figure would be \$55 for the building on Arch St. and the proposal for the new building is \$140/sq.ft. Mayor Persing said they would be able to move more quickly than building a new station. Also, if anyone goes into the Bitner building, they would need parking. There is a municipal lot behind that building that could be upgraded. A 20 year pay-back loan payment is included in the 2018 budget. Councilman Henry said he does not feel the time is right to spend this much money. He also feels the new mayor and councilman should have a decision in this matter. Mr. Kurt Karlovich said that building floods during storms and the roof is bubbled-up. He also said Woodring Associates owns the building and he thinks the public should know that. The building the police are in needs a new roof plus HVAC system and there is a gas problem as well. Mr. Karlovich said he does not feel \$500,000 needs to be spent there when there are other things to spend money on. Mayor Persing said there is no heat in the building. Mr. Karlovich asked if anyone spoke to the officers or the chief about the building. Mayor Persing said the chief and captain have had input as to the layout of the building. Councilman Henry asked if a 3rd party inspector could go in before the next council meeting to see what is wrong with the building and about how much it would cost to make repairs. Councilman Eister said he would have NEIC look at the building.

AUDIENCE COMMENT

Mark Walberg: The agenda on-line did not say anything about discussing a new police department. Mayor Persing said he knows it is not on the agenda, he announced at the beginning of the meeting they would be discussing this issue. Mr. Walberg said the city was given a free building on Market St. and now they want to move the police department off Market St. It contributes to sinking Market St. He said there is a tax increase coming in 2018 and now this project is coming up. Councilman Eister said healthcare went up \$149,000 – that is where the tax increase is. Downtown Market St. is for businesses not a police department. Mayor Persing said this discussion will be held until the December meeting after a 3rd party looks at the building.

Mr. Dino Pangolois: He feels his building at 370 Market St. has not been promoted by SRI. He said there was a flood in 2011 that destroyed the basement. He paid more for it at an auction than he bid on it because someone said he “stole” the property at auction. In 2011 a study was done that he paid \$5,000 toward. He would like it to be a school. The Community College board has not approached him in some time to have the college in his building. He feels Ms. Beck was trying to purchase his building from him and therefore SRI did nothing to promote it. Mayor Persing said this is not the place to file a complaint about someone else.

Meghan Beck: Explained in 2011 a feasibility study was done in which Mr. Pangolios paid \$5,000 and SRI paid \$5,000. It was to fact-find a study for the use of the building and to teach the public how to do the study. He was not interested in putting any residential units or a restaurant in the building, he only wants it to be a school of some type. The college project hasn’t progressed that far and it will be very expensive to remodel the building for a community college.

Mark Walberg: Wants to know if council members have appealed the decision of the judge to allow 202 Arch St. to be made into apartments. On October 3rd the judge decided in favor of 1337 Holdings to put residential units in and dismiss the parking requirements as adequate parking is available since the jail is closed in that area. It is now past the appeal date. Mr. Walberg asked if the council has addressed the issue since the judge ruled. Mayor Persing answered no. Mr. Walberg asked why they have not appealed it. Mayor Persing explained the legal fees were \$8,000-\$12,000 and he felt it was too expensive to pursue if they were probably going to lose the appeal. Ms. Kula explained on August 24, 2016 a zoning hearing board denied the application for Arch St. based on

rental permits due to congestion for parking for the amount of units proposed. On November 14, 2016, an appeal hearing was held before Councilmembers (the mayor was not present). On November 22, 2016 a written decision was given by council denying the appeal. On December 22, 2016 an appeal was filed with the Northumberland County Court of Common Pleas by 1337 Holdings. On August 22, 2017 an appeal hearing was held before Judge Jones. Judge Jones reviewed all the evidence provided including testimony from neighbors in the general area. On October 3, 2017 Judge Jones entered an order to Overrule and Reverse the Zoning Hearing Board and City Council's decisions. He found the testimony offered on behalf of 1337 Holdings was credible, compelling and ultimately convincing with regard to the availability of parking. Judge Jones further stated that "we find little credibility, if any, to those witnesses called on behalf of the Appellee who testified over the parking issue. We suspect parking is not the primary issue that concerns them, but will not engage in speculation as to their true reasons for opposing the variance. The forgoing quotes are "findings of fact" and the appellate court would accept those finding on appeal." City council made a business decision to not appeal Judge Jones' ruling. Findings of fact would not be considered by an Appellate court. An appeal would be too expensive to consider since the judgment would not be overruled. Councilman Eister stated he spoke incorrectly to Mr. Walberg because he did receive a phone call and he forgot about that when talking to Mr. Walberg. General discussion followed.

Regina Russell, Community Activist: Asked the code office to issue fines to a tenant renting a garage at 406 Walnut St. He is now parking his trash trucks in front of the garage. Ms. Russell feels he is being protected by council members. The garage is not listed as a commercial property. When it snows he will be able to park his trucks in the open way in a residential community. The code office was giving him warnings in 2014 under the direction of Councilman Bartello and never issued fines after that. She is asking Councilman Reichner to direct the code officers to tell the tenant to stop or issue fines as he would to someone not associated to a councilman and his business partner. She said she would be more than happy to start a Facebook page and YouTube video to tell the story of her being accused of filing false reports, threatened to be arrested and when she asks for reports they conveniently disappeared during the moving of the department. Pictures will be uploaded to show preferential treatment and the abuse of authority by elected officials.

Laurie Johnson: This was the worst council meetings she has attended. People complain at the meetings all the time and it is time for everyone to stop and start working together. Ms. Russell has been on Jim for 2 years about that property.

Tom Rourke: Why doesn't Sunbury have lit garland anymore on the light poles. Mayor Persing said there aren't many people to do the decorations and there isn't funding to maintain all that. There hasn't been lights in the garland for many years.

Brad Hare: Shikellamy Theater is presenting "The Rivers and Ravines" as their fall play this weekend.

ANNOUNCEMENTS

Late Night Shopper's – Thursday Dec. 7th from 5:00 pm to 9:00 pm

There being no further business to conduct, the meeting was adjourned at 7:05 pm.

Respectfully submitted,

Terry Specht, City Clerk