

CITY COUNCIL
Sunbury PA 17801
May 11, 2009
7:00 pm

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

Jesse C. Woodring, Mayor
John K. Shipman, Director of Accounts and Finance
Mr. Mark Walberg, Director of Public Safety
Mr. Kevin Troup, Director of Public Works
James R. Eister, Director of Parks/Recreation and Public Buildings

Other City officials in attendance:

Elizabeth Kremer, City Treasurer
John Bakowicz, City Engineer
Stephen Mazzeo, Chief of Police
Michael Rhoads, Property Maintenance Officer
Michael Bordner, Public Works Supervisor
Michael Apfelbaum, City Solicitor
Brianna Apfelbaum, Apfelbaum Law Offices

There were twenty-nine (29) visitors present.

An executive session was held on May 6th to discuss the possible purchase and/or lease of real estate.

MINUTES AND REPORTS

Minutes and Reports of the Police Dept., Treasurer's Office, Fire Dept., City Engineer, Code Office, Park & Recreation, Public Works Dept, and Planning Commission were accepted on a motion by Mayor Woodring. Eister – second. Unanimous vote.

EARLY INTERVENTION

Mr. Sabatini fielded questions pertaining to his presentation at the last meeting regarding the City's financials. Councilman Eister asked if all the recommendations Mr. Sabatini has been making verbally to council would be compiled in a report – the answer is yes. Councilman Shipman asked Mr. Sabatini to further discuss the advantages of changing to a Home Rule Charter. Mr. Sabatini explained that the City has approximately 5 years before the revenues can no longer meet the expenditures. Some municipalities wait until the state or federal government bails them out, however, Keystone Municipal Services does not think that is an effective strategy. Act 47 is one option, which is what Shamokin City is facing at this time. It is a state sponsored program that is for recovery and oversight of the municipal financial operations. The City must vote on it and apply for the plan. It will address bargaining unit issues, taxation levels and other City activities. Another option would be to pursue Home Rule. The 3rd Class City Code was written in the 1920's, without much change since then, other than to the type of management a 3rd class city can have. Home Rule would allow for the development of strategies that are more in tune with the present. The City of Easton eliminated their controller and treasurer as part of Home Rule as elected officials and brought their functions in house. The advantage of Home Rule allows the municipality to create solutions that are custom made for them, not what is used elsewhere. Mayor Woodring asked at what point financially Act 47 should be made. There are strict criteria for Act 47. An evaluation by the Commonwealth would first have to be completed. This would be at the point where revenues are lower than expenditures. You might be missing payrolls, bills at 90 days or greater, plus other criteria. The Commonwealth would pick a recovery plan coordinator for the municipality. Changing to Home Rule is approximately a 2 year process. The county must change the tax assessment in order for more real estate tax revenue to come in. Councilman Walberg stated that the 1% Optional County Tax would help the City tremendously. Mr. Sabatini said council should not hold out for something like that to happen. Mr. Sabatini explained that the City does a good job of controlling costs but at this time, services are at a point where they can no longer be cut back. Mr. Apfelbaum said it sounds like Home Rule's primary purpose is to raise taxes. Mr. Sabatini said the only tax the City has that shows growth each year is the earned income tax. Under Home Rule the earned income tax can be changed from .5% of a mill to .6% of a mill. The Realty Transfer Tax can also be changed. A Home Rule committee must be formed to study the change and put together a plan. Councilman Walberg asked what the estimated numbers for shortfalls in 5 years would be. Mr. Sabatini said it is approximately \$300,000 to \$400,000 per year starting in 2010. Each year after that is more. His estimation is that by 2013 the City would be \$1,000,000 variance between revenues and

expenditures. Items to be looked at are the physical plants, the police station is a liability and should not be used at all. City hall is an under-utilized asset. Training should be used for all employees. Recreation costs are a huge loss for the City. Councilman Shipman said for years the property owners have been hammered – if the City has to go to the county to raise the 25 mill cap for taxes, the property owners bear the brunt. The City has been trying to diversify the revenue stream so the property owner is not paying all the taxes. There are many people that are not property owners that utilize the services the City supplies.

BUDGET MODIFICATION/STROH ALLEY AND EDISON PLAZA

Ms. Jamie Shrawder explained that some of the CDBG projects needed to have funds modified to better utilize the funds (see attached). Ms. Shrawder recommends that the changes as shown be made to the projects. Councilman Troup asked whether the CDBG funds can be spent on these projects since there are 3 members of council that are part-owners in a building adjoining the project and may receive a benefit from the upgrades at Stroh Alley for their own property. Mr. Apfelbaum said this was discussed several years ago when the projects were suggested. Mr. Seigel explained that the council members involved should refrain from voting on the matter. Councilman Eister said this project was started prior to the building being sold to the current owners. Councilman Eister moved to make the budget modifications as suggested by Ms. Shrawder. Mr. Apfelbaum said the 3 members of council that own the building could abstain from any vote on this subject and should not be criticized later on for their vote, or lack thereof. There was no second to the motion so the motion died. Mr. Seigel asked for guidance regarding these projects. A ruling from DCED and/or the Ethics Commission will be sought before any more funds are expended on these projects. Councilman Shipman stated that he does not want to be in the position of someone saying he benefited from his position on city council – he feels the next administration starting in 2010 should decide the fate of the projects. He has not benefited nor does he want to benefit from his position on council.

FINAL DESIGN CAMERON PARK

Mr. Bill Seigel recapped the meeting where the preliminary design for the Cameron Park improvements were presented. The planning process was started by a group of PSU landscape architect students several years ago, with a considerable outreach into the community. From that process the City retained Stahl Shaffer Engineering, who in turn sub-contracted with Dan Jones Architects to move into a Cameron Park design. The design professionals were asked to do some additional research as a result of the previous meeting where the design was discussed – the physical space for the canon in front of the Cameron monument, the appearance of the same, sidewalk in front of Cameron Monument as well as other concerns relative to the physical relocation of the war memorials and canon. Mr. Dan Jones explained that during the last meeting it was suggested that they meet with Mr. Garry Leister regarding Cameron Park and the improvements as presented. They did meet with him and from that meeting the following 5 concerns were brought up:

- Maintenance – Mr. Leister was concerned that with the new flowers, shrubs, etc. it would become a maintenance nightmare for the City. The intent was for improvements in the entire park and they were assured the City had the equipment to perform this task
- Visibility – Mr. Leister was concerned that with 2 fences (one around the Cameron monument and one around the canon) the area would not look right and whether the front of the Cameron monument would be visible. Mr. Jones said they will be approximately 15’ apart, the fence around the Cameron monument is higher than the canon fence. The preliminary drawings show that there is enough room for both fences and they will not detract from either memorial.
- Movability – Mr. Leister is very concerned about damaging the memorials and the canon if moved. Mr. Jones answered that this is a canon that was dragged all over Europe and then shipped to the United States and moved to Sunbury PA. He met with some memorial experts and they said memorials are moved all the time with little to no risk of damage.
- Sidewalk – the original plan did not have a sidewalk near the Cameron monument. The plans were redrawn and the sidewalk is shown with the memorial stones between the sidewalk and the canon.
- Fit – the canon fence is 21’ long – the drawings show the Cameron monument with the canon in front and a sidewalk, all elements fit.

Mr. Jones stated that the improvements are to the entire park which will also benefit the festivals, seasons, and any uses the public imagines for the park. The issues regarding the east end are:

- The Cameron monument was obscured by a huge flag pole – the plans call for the flag pole to be moved to the west end of the park
- The canon at the west end of the park was obscured and visibility was not good – thus the relocation of the canon to the east end. The firms thoughts were to place all the memorials in the same area
- Make the east end a special place for memorials with special seating, plantings and more visibility throughout that area

- If the memorials were all together at the east end, there would be more room at the west end for the festivals and other public use

Mr. Jones wants everyone to remember the old postcards that were shown at the last meeting – the park has changed many times over the years, the tree-line changes, the fountain was taken out, the gazebo was installed, benches are removed and other ones reinstalled, etc. Their intentions were to look at the entire park to benefit all the elements and hope the changes are good for another generation.

Audience comment regarding the Cameron Park improvements:

- Mr. Garry Leister said his agenda is not the flag pole, he still feels there is not enough room in front of the Cameron monument for the canon and fence and he feels that will obstruct the view of the Cameron monument
- Mr. John Deppen asked if the drawing being shown tonight was still a preliminary design. Councilman Eister answered that it was not, it was a step beyond preliminary design. Mr. Deppen said he came to city hall on April 16th to view the plan and was told by Mayor Woodring that the design was still preliminary. Mr. Jones said the plans changed several times since mid April. The design was preliminary up until the last council meeting held on April 27th.
- Councilman Shipman asked about a street level view of the new design – Mr. Jones stated that he prepared one but did not feel that he was learning much from it. The base of the Cameron monument is 4’ and is higher than the top of the fence around the canon. There is no question that the 2 fences would be visible but the canon fence would not be higher than the base of the Cameron monument. Councilman Walberg asked if a digital picture of the monument and canon could be fused to see what it looks like. Councilman Eister stated that the canon is not visible from the front of the canon on the west side. Once the canon is moved to the east end, the canon will be visible from at least 180 degrees and the Cameron monument will also be in full view. He also stated that he guessed that when the canon was placed at the west end of the park it was probably because it was an open space at the time, not because it was a special place.
- Mr. Scott Johnson, who lives on one side of the park and owns a business on the other, commended city council for trying to do something in Cameron Park. He understands they are not trying to defile the war memorials, but creating more space and making it look better. He agrees that the better the community looks, the more people that will be attracted to the area. He feels this will help to attract business to Sunbury by showing the government is working to make the community a better place to live. Mr. Deppen said the veterans were at the last meeting and they made their feelings very clear. Mayor Woodring reminded Mr. Deppen that not all the veterans feel the same way. Mr. Johnson said the City’s mission statement reflects the changes being made to Cameron Park – making it a clean, safe, pleasant environment.
- Councilman Walberg asked what the main negative about the project is. Mr. Deppen said the issue is that a committee raised \$15,000 to refurbish and restore the canon and the area that surrounds it. Councilman Walberg said he doesn’t think the moving of the canon will take as much time as all the meetings held to decide whether it would be moved or not. He also suggested that he does not think the argument about moving the canon and memorials is valid, the key is an acceptable location for moving the canon and memorials to. He understands there is a concern about damaging the items, however, professional monument movers move memorials all the time without damage.
- Mr. Todd Snyder asked how much of the current plan is covered by the current budget. The answer is there is money budgeted for the entire plan design.

There being no further general discussion regarding this matter Councilman Eister moved to move forward with the final design phase of the Cameron Park Improvement Project. Second – Troup. Unanimous vote.

AWARD 2008, 2009 AND 2010 AUDIT

Councilman Shipman moved to award the 2008, 2009 and 2010 Audit bid to Larson, Kellett and Associates. The bids were:

Larson, Kellett & Associates, P.C. 2008 \$17,600, 2009 \$18,100 2010 \$18,600 Total \$54,300
 Lewis Barlett Klees, P.C. 2008 \$16,000 2009 \$17,600 2010 \$20,400 Total \$54,000
 Parente Randolph, LLC 2008 \$17,500 2009 \$18,375 2010 \$19,300 Total \$55,175

Since Larson, Kellett has been performing the City’s audit for several years, the “extra” costs would be minimal. The total bids were within \$1,175 from high to low. Second Walberg. Unanimous vote.

2ND READING/INCREASE PARKING FINES

Councilman Shipman moved to pass on a second reading the following increases for parking fines:

Parking Meter Fines – to \$10.00 – will double after 72 hours
No Parking on Designated Streets When Posted - \$20.00 – will double after 72 hours
Handicap Parking - \$50.00 – will double after 72 hours

Second – Eister. Unanimous vote.

MUNICIPAL UTILITY ALLIANCE (MUA)

Councilman Shipman explained the MUA is a co-op created by PA League of Cities and Municipalities to purchase electricity generation on a large-scale basis for municipalities to save money. The City has been a member of the MUA for a number of years but it has been dormant for the past several years. Councilman Shipman moved to re-commit to the MUA and allow them to bid electric generation to see what the price would be. When the City finds that out, they will either commit to the MUA or purchase electric generation on their own. The City has been advised that electric rates through PPL will be increasing by at least 35% on January 1, 2010. Second – Troup. Unanimous vote.

RFP FIRE DEPARTMENT PURCHASE

The following bids were received for the purchase of fire equipment by the Sunbury Fire Department:

First National Bank – no interest rate included
M & T Bank – 4.96% for 5 years
Northumberland National Bank – 2.95% for 5 years.
Susquehanna Bank – 3.78% for 5 years
Swineford National Bank – 3.78% for 5 years

Councilman Shipman moved to accept the apparent low bid from Northumberland National Bank, after review by the City Solicitor, and to authorize the Mayor to sign all documents. Second – Troup. Unanimous vote.

MAY EXPENDITURES

Councilman Shipman moved to authorize the expenditure of \$118,667.15 for the 1st AP run in May. Second – Eister. Unanimous vote.

TAX EXONERATION

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

Tape 2 from this meeting is missing – this is a synopsis of the audience comment.

AUDIENCE COMMENT

Mr. John Bakowicz told council the Fisher sub-division paperwork would be going to the Planning Commission and would be on the agenda for council to vote on at the next meeting.

Ms. Virginia Mendler asked who would be exempt from paying the \$100 professional license tax. At this time, hair dressers and barbers are the only exempt class.

Ms. Barbara Hoffman asked when the tax had to be paid. It must be paid by December 31, 2009.

Mr. Jim Smith asked where people would park at events held at Riverfront. The engineering firm is working on parking areas as part of the design.

Mr. David Whipple read an article about the county wanting to purchase city hall. He said there are 2 buildings behind the court house the county could use instead of paying for another building.

There being no further business the meeting was adjourned at 8:40 pm.

Respectfully submitted,

Terry Specht
City Clerk