

CITY COUNCIL
Sunbury PA 17801
June 9, 2014
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
John K. Shipman, Director of Accounts & 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 E. Troup, City Treasurer
Brianna Apflebaum Kula, City Solicitor
Bradley Hare, Acting Police Chief
Michael Rhoads, Zoning Officer
Michael Bordner, Workforce Supervisor
Terry Specht, City Clerk

There were thirty-one (31) visitors present.

MINUTES AND REPORTS

The minutes of 4/14/14 and 4/28/14 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 and Police Pension Board (quarterly) are in the City Clerk's office for review. Motion to accept was made by Councilman Eister. Second – Henry. Unanimous vote. Minutes will be posted at cityofsunbury.com.

PUBLIC COMMENT/AGENDA ITEMS

Mayor Persing asked for comments on agenda items: Ms. Julie Broschius asked what the "Moment of Silent Reflection" on the agenda was for. Mayor Persing explained it is to remember people that had something to do with the City and passed away, it will be a time of remembrance. If a meeting visitor wants to pass on someone's name to council they may do so before the meeting begins.

Ms. Regina Russell asked if the property on the agenda on Spruce St. is the one with overgrown vegetation and a fire. Mayor Persing answered yes.

CDBG PUBLIC HEARING

Mayor Persing put the council meeting on hold for the CDBG Public Meeting. Mr. Tyler Dombroski explained a final public hearing for the 2014 CDBG Program and the 1st public hearing for the 2014 CDBG Competitive Program would be occurring. Mr. Dombroski explained the City received \$300,000 in 2013 CDBG funding and the same amount should be received in 2014. The funding for 2013 will be: \$54,000 for administration and \$246,000 for the Chestnut St. reconstruction project. The problems with Chestnut St include: street is in poor condition, sidewalks are cracked and uneven, sewer lines are broken and water valves and catch basins need replaced. The Municipal Authority is being mandated by DEP to separate the storm water and sewer collection. Solutions include replacing the sidewalk and curbing, making the sidewalk ADA accessible, removing large trees and replacing with smaller trees that will not crack sidewalks, installing lighting like Front St., traffic signal at 2nd & Chestnut St. will be upgraded, street will be resurfaced and improvements to the water, sewer and storm water system will be upgraded. Mr. Dombroski said the estimated cost of the project is \$3.6 million. The City has been active with applying for grants and has received \$500,000 from Keystone Communities funding, \$602,281 of CDBG entitlement funding, \$200,000 of liquid fuels funding and a \$420,000 construction loan. In addition PA DOT Transportation Alternatives funding has been applied for, PA Small Water and Sewer Grant funding and Multi-modal Transportation funding. This is to minimize the amount of funding

needed from the taxpayers of the City. Mr. Dombroski asked for questions or comments in regard to this project as far as 2014 CDBG funding is concerned:

Mr. Mark Gittens: Will a center line be painted to divide the lanes. Councilman Eister said at this time there is no intent to divide the lanes because it is too narrow. It hasn't been discussed in depth because it is narrow but people do drive in the 2 lanes. It will be discussed with PA DOT. Mr. Gittens said there are a lot of near accidents because there are no lines. Mr. Mark Gittens asked if access to the new infrastructure for water and sewer and Councilman Eister answered yes it is built into the package. He also explained it depends on funding, if the project has to be done in phases, from Front St. to 3rd St would be phase 1, then 3rd St east as far as they can go with the funding. There is enough funding to go to 3rd St. at this time.

Mr. Joe Bartello: Will this be a multi-year project using the CDBG funding as it was for the Riverfront Project. Councilman Eister said it depends on the funding received for the project. Ms. Jamie Shrawder said they are not planning to use all the CDBG funding if enough other funding comes through.

Mr. Dombroski asked the mayor and council members to adopt the Resolution stating the City has complied with all public hearings and participation obligations that are set-forth for CDBG funding and SEDA-COG will be applying for 2014 CDBG funding when the scheduled council meeting resumes.

Mr. Dombroski explained the City's 1st public hearing for 2014 CDBG competitive funding in the amount of \$500,000 for the Chestnut St. reconstruction project is now being held. The state sets aside 85% of its CDBG allocation each year for entitlement communities and 2% is for state administration. The remaining 13% is allocated to competitive CDBG funding to help minimize the amount tax payers will have to fund projects. By the end of July the application should be complete and the final public hearing should be scheduled for the last council meeting in July. In the interim, public support is crucial for the grant application. Mr. Dombroski asked for comments in regard to the competitive application.

Ms. Regina Russell, Community Activist: Lives in Ward 4 and researched how to get sidewalks fixed in proximity to the high school, Ms. Shrawder mentioned there is funding for that. Mr. Dombroski said there are a lot of stipulations in regard to sidewalk reconstruction – whether the neighborhood is low/moderate income and who will benefit. Ms. Shrawder said that was the PA DOT Transportation Alternatives program that was applied for for Chestnut St. and could be used for sidewalk projects. Ms. Russell asked if this was the same money being discussed and Ms. Shrawder said no, this is CDBG funds. Ms. Russell asked who would apply for the grant to take care of sidewalks in proximity to the schools and Ms. Shrawder answered that would be something the City would want to consider and the grant opens in spring.

There being no other comments, Mr. Dombroski made some announcements in regard to the grant – Section 3 Preference Statement states low/moderate income residents will benefit from the project as well as economic opportunity to low/moderate income residents. A low/moderate income resident has an income below \$31,850. Employment consideration will be given to these individuals with proper documentation if any positions open. The Fair Housing notice has been posted in The Daily Item annually and a Fair Housing analysis has been completed. The Fair Housing notice states discrimination will not take place based on race, color, religious, sex, national origin, family status or disability when it comes to renting or selling housing, etc. Also, SEDA-COG and the City already put out a public service announcement to further fair housing. CDBG projects are not intended to displace residents and if that would happen the City must make sure any displaced resident will have alternative housing. Section 504 Outreach states if there are concerns residents of the City have as far as disability access with City's facilities or programs, the City has an opportunity to provide comment. Mr. Dombroski asked if anyone present had a concern in regard to access to facilities or programs and there were none. Mr. Dombroski asked if anyone feels there would be environmental or historical impacts that planners of the project should be aware of. One resident made a comment about not putting in too much lighting on Chestnut St. Mr. Dombroski said that would be considered by council. Ms. Russell asked if the trees would be replaced. Mr. Dombroski explained the trees are currently too big for the area and the roots cause the sidewalks to crack and raise. If the trees are replaced with the same type of tree the same will happen. Ms. Russell said what she meant is will there be an expense to replace the trees and is it mandatory. Ms. Shrawder answered it is not mandatory and could be cut out of the project if not enough funding is received. Mr. Dombroski said it is important to know the City does not want to pay in the future for the same problems they are trying to fix now. Ms. Meghan Beck said the Albright Community Arts Center is located at 450 Chestnut St. and is adjacent to the project. Mr. Dombroski adjourned the public hearings for the entitlement and competitive CDBG programs.

CDBG UPDATE

Ms. Brianna Kula said a Resolution should be passed and explained 7 easements are required to cross 3rd party lands and store equipment on the properties during the Chestnut St. project (see Resolution attached). Councilman Eister moved to pass the Resolution. Second – Reichner. Unanimous vote.

Mayor Persing moved to pass the Resolution authorizing the submission of the application to PA Dept. of Community Development Block Grant program (see attached). Second Reichner. Unanimous vote.

Ms. Shrawder also said in Act 13 the Multi-modal grant application is for additional funding for pedestrian and bike safety. It is now available to other communities and must be submitted by June 20th. Mayor Persing moved to pass the Resolution authorizing SEDA-COG to apply for the Inter-modal Transportation Fund grant in the amount of \$2,000,000 for the Chestnut St. reconstruction project (see attached). Second – Henry. Unanimous vote.

The Keystone Communities and Tax Credit Funds are for demolition of blight properties. On Monday June 16th Ms. Shrawder will meet with members of council and the Redevelopment Authority Board members to discuss what properties will be torn down using these funds.

SRI UPDATE

Ms. Meghan Beck thanked the City for their assistance during the Wake the Lake event. A member of the audience asked if it would have been better if the docks were put out. Councilman Eister answered yes it would have been but wasn't possible due to the high water from the rain. He said the docks are scheduled to be installed Tuesday morning. Mr. Dale Walters asked what kind of advertising was used for the event. Ms. Beck explained it was in The Daily Item, PSA's and the talk shows on WKOK and social media. She said they had a late start planning the event because they were looking for a business to partner with them. The Business & Economic Development committee is waiting for a response from the county IDA in regard to a grant to fund the business marketing plan. Complementary memberships are being offered to new Sunbury businesses and one that brings a new business to SRI. A member-to-member discount program is being established. Cheryl Delsite is working on the wrap-up of the Elm St. grant. The rain garden was installed at Highland Ave. and Market St. The property at 1180 Line St. has been leased to SRI for the Hill Neighborhood by the Sunbury Community Hospital and a portion of it was sub-leased to Simplex Industries which will help support the building and bring more jobs to the community. The Promotions committee is looking for businesses to participate in a discount card. The flower baskets look amazing. The Albright Center council is completing their 2014 Tax Credit process and deed transfer. Consultants will be meeting with the building committee soon. Councilman Shipman added that Ms. Aimee Buehner spoke at a council meeting in regard to the BED committee marketing plan. They have met with Mr. Pat Mack from the county IDA in regard to the City committing \$5,000 to the project. Councilman Shipman moved to authorize a letter of support be sent to the county stating that the City will pledge \$5,000 to the project if the grant from the IDA is received by SRI. The marketing plan will be to bring new entrapenureal businesses to the city due to the technology and internet access available in the City. Second – Eister. Unanimous vote.

REDEVELOPMENT AUTHORITY

Mayor Persing said 613 Catawissa Ave. and 416 S. 4th St. will be put on the nuisance list along with 149 Church St. The plans have been reviewed for the properties that were sold at auction in May. 6 were approved by the RDA and the 152 Bainbridge St. plan was not approved. Mayor Persing said the RDA has been involved with the property at 239 Spruce St. for years. They have not done anything with properties where someone lives. The same goes for double homes. They have not moved anyone out of homes. Now, there is a lawsuit against the City in regard to that property. The RDA will continue to move forward and improve the neighborhood. That property will be brought to code compliance. Councilman Eister moved to pass a Resolution which states the RDA will have the authority for all decisions concerning the removal of blight conditions at 239 Spruce St. (see attached). Second – Reichner. Unanimous vote.

Mayor Persing read the addresses to be added to the public nuisance list: 420-422 Chestnut St, 964 S Front St, 822 S River Ave and 216-218 Spruce St. Councilman Reichner moved to add these properties to the nuisance property list. Second – Shipman. Unanimous vote.

The properties at 139-141 Church St. and 414-416 N. 2nd St have not been sold yet but will be added to the next auction. 65 N 8th St will be demolished. The corner lot at 7th & Packer St. that was a community garden has been turned over to the RDA who will plant grass, mulch and build a sidewalk. Councilman Henry mentioned 65 N. 8th St. is on the county judicial sale list and Ms. Kula said yes, the city will be represented to bid on it. Councilman Eister said the self-advocate group would like to put flowers, sidewalks and curbing at 2nd & Spruce St. Ms. Shrawder asked why 113 Chestnut St is off the list and Ms. Kula said it was declared a public nuisance at the April meeting. She also asked about 314 S. 3rd St and Councilman Reichner said he is not sure but the owner may give that to the city.

PA DOT ROAD CLOSURE

Councilman Henry moved to approve the road closure request on Market St for National Night Out on August 5th. Second- Shipman Unanimous vote.

PART-TIME HIRE/CODE OFFICE

Councilman Reichner moved to hire Mr. Norman Folk and Mr. Eric Long in the code office for 10-15 hours per week at \$10. /hour. Second – Eister. Unanimous vote. Mr. Joseph Bartello asked if the new hires had construction experience and Councilman Reichner answered he didn't know but they are willing to learn.

BURGER KING/SUNOCO

Councilman Reichner explained the storm water waiver will be for the entire block. He read “We are attaching a copy of the proposed plan covering the project. This plan shows the entire city block bounded by 4th St, 5th St, Arch St and Woodlawn Ave. This entire area has been paved and has been an impervious surface for over 20 years. Since the entire block is already an impervious area and the project will not change that in any way the runoff will not increase at all. No undeveloped areas will be developed in this project. In Burger King's case the existing building and the new building are essentially identical in size so roof areas and parking areas remain the same. Clearly, runoff from this development cannot increase and therefore a waiver in accordance with 143-9 is justified. The reason that we point out that the whole block is impervious is because the areas being traded between Atlantic, Burger King and the City of Sunbury may still be negotiated and adjusted. The point is that no matter whose site is involved every square foot has essentially the same runoff coefficient and therefore the entire block will not vary in future runoff. Councilman Reichner moved to grant the waiver for storm water runoff for the entire block as explained above. Second – Eister. Mr. Joe Bartello asked if they didn't just say there is a problem with the storm water system so why would a waiver be given when the whole system needs redesigned. Councilman Reichner said because it is not changing in any way. Mr. Bartello said when new buildings are going in is when new drains go in you don't wait until everything is built and then put new drains in. Councilman Reichner said there was a meeting in February with the Municipal Authority, Planning Commission and UGI and no one had a problem with the plans. Unanimous vote.

Councilman Reichner also moved to waive the land development plan for Burger King because the new building will be approximately the same size as the old building and the use will remain the same. Second – Eister. Unanimous vote.

USE OF RIVERFRONT

Councilman Eister explained that he would like to have a wedding and reception at the riverfront area on June 14th. Councilman Reichner moved to approve the use of the riverfront on June 14th for a wedding and reception venue. Second – Henry. Yes – Shipman, Reichner, Henry, Persing. Abstain – Eister. Motion carried.

Councilman Henry moved to waive the open container ordinance for the reception on June 14th. Second – Reichner. Yes – Reichner, Henry, Persing, Shipman. Abstain – Eister. Motion carried.

APPROVAL TO PAY INVOICES

Councilman Shipman moved to pay the invoices reported on the voucher's payable report in the amount of \$33,521.27 from the General Fund and \$1,989.20 from the Liquid Fuels Fund. Second –. Unanimous vote. Mr. Kevin Troup asked everyone to watch their spending.

TAX EXONERATION

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

AUDIENCE COMMENT

Ms. Jan Dockey: Asked about Pickle Ball. Councilman Shipman said he has researched the topic and explained it is very popular in the south and retirement areas. It is a modified version of tennis played on a smaller court. Ms. Dockey said her brother is willing to do a clinic so people can learn how to play. There is a representative in the Williamsport area that could also help.

Mr. Bob Werline: The plastic slide is broken at the Keller St. playground and he is afraid someone will get hurt on it.

Ms. Regina Russell, Community Activist and ARC Volunteer: Said she is a handler for a therapy dog and visits senior homes, hospitals, prisons and schools. She is concerned about the property at 350-354 Walnut St. The spring newsletter had an article about the Sunbury Fire Dept. being the best they can be through training and dedication to their cause. She is also trained through the Red Cross. She started talking about this property because of the parking issue and now she is concerned with the door that is being blocked by the vehicles. Ms. Penny Nolls attended a meeting and said she is a child advocate with children with disabilities living in the home and Ms. Russell feels someone should look into the blocked entrance. Ms. Russell also said when you go online to the code office site, there are categories and there is a code complaint site that says “your personal information will be kept confidential.” She said she has a grievance about her information being given out when she is filing complaints on line. She said that is putting her life in jeopardy that people know who she is and where she lives – they could damage her vehicle or her property. She said that is not encouraging people to do the right thing which is to report public safety issues but she is the one threatened because she makes the complaints. She will continue to make complaints. Mayor Persing asked what information she was talking about. Ms. Russell said on the video Ms. Nolls makes reference to “her” and how does she know it’s a “her” and how does she know whether Ms. Russell uses the sidewalk or not. Mayor Persing stated because Ms. Russell comes to every meeting and the meetings are on YouTube.

Mr. Terrance Bausert: Asked if it was a parking violation and the Mayor said no it is not. Ms. Russell said it is.

Mr. Gordon Lamb: Brought the mayor a letter tonight before the meeting. On Friday June 6th around 4:15 pm he called the 911 Center to report suspicious activity outside his step-son’s house on Walnut St. The subject had a warrant out for his arrest and was threatening his step-son and girlfriend. An unidentified officer showed up driving the blue unmarked car used by the police chief and spent 2 minutes talking to the subject, joking with him and his girlfriend and drove away. He did not check on the safety of his step-son even though there was an incident there on Wednesday evening that necessitated the need for 3 police officers. Mr. Lamb asked if the officer was aware there was a warrant out for the subject’s arrest. He advised the 911 Center of the fact and if so why was he not arrested, leaving him free to roam around city streets. Why did the officer not check on the safety of his step-son? He wants a reply prior to the next council meeting on June 23rd. Mayor Persing said he would look into the situation.

ANNOUNCEMENTS

Music in the Park Tuesdays at 6:00 pm
June 10 – Maggie Kurtz
June 17- Smooth Country
June 24- Counterfeit Dreams

There being no further business the meeting was adjourned at 7:20 pm.

Respectfully submitted,

Terry Specht
City Clerk