

CITY COUNCIL
Sunbury PA 17801
August 27, 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
Richard L. Reichner, Director of Public Safety
Chris Reis, Director of Public Works
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Joel Wiest, City Solicitor
Brad Hare, Police Dept. Officer in Charge
Michael Rhoads, Zoning Officer
Terry Specht, City Clerk

Visitors: 33

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

Executive session held on August 27th at 5:00 pm to discuss personnel matters

PUBLIC COMMENT/AGENDA ITEMS

Regina Russell: Why wasn't the home that collapsed on Penn St. in the paper? Mr. Francis Scarcella answered there was an article previously and there will be another one in tomorrow's paper.

2018 CDBG PUBLIC HEARING

Ms. Linda Sterling announced she was at this meeting for the final public hearing for the 2018 Community Block Grant application. A clipboard is going around the audience for signatures. Ms. Sterling stated the council has voted to spend \$296,249 of CDBG funding (annual allotment for 2018) on the Reagan St. Flood Mitigation Project with \$48,520 going to grant administration. Ms. Sterling asked for questions about the flood mitigation project. Julie Brosius said back in 1960 she read an article that the state came forward with money to redo that area in regard to the water situation. She was wondering if that money was still available. She also asked if the Municipal Authority will be involved with this project and Councilman Eister answered yes. He said when Merle Phillips was still in office, Penn DOT did a feasibility study and they determined the project was over \$1 million and they walked away from the project. That was within the past 20 years. The project entails Front St. to 4th St. for Phase 1. Ms. Sterling said at the end of Phase 1, the Reagan St. flooding will be stopped. All the phases need to be completed before the flooding ends in the entire project area. Penn DOT will pave Reagan St. from Front St. to 11th St. in 2020, after this project is complete. Ms. Brosius asked what was happening on Front St. with the green flags and Councilman Eister said he does not know. Regina Russell asked if inspections are done by HUD or a private company that is certified to inspect the projects. Ms. Sterling answered they are done by a 3rd party company or at times, engineers do the inspections that are certified. There are many inspections required of CDBG projects. It falls under the responsibility of the engineer to be sure inspections are done and SEDA-COG to ensure they can prove the inspections were completed. Ms. Sterling's role is to be sure all CDBG regulations are followed. Later when the council meeting reconvenes the council will vote on a Resolution to submit the FFY2018 application. The Resolution allows Mayor Karlovich to sign all documents to enable the application to go through. Jan Dockey asked what the \$48,520 is for and Ms. Sterling explained it is to administer the CDBG grants and is up to 18% of the total amount received to include: costs of administering the grant such as paying SEDA-COG, paying for required advertisements, invoicing, etc. There are 100 pages of federal regulations that have to be followed for the CDBG grant program. Most municipalities hire a third party like SEDA-COG to administer them because they are more experienced with the regulations. The CDBG program is audited through the city's annual audit. Mayor Karlovich closed the CDBG hearing and reconvened the city council meeting.

RESOLUTION/FFY 2018 CDBG RESOLUTION

Mayor Karlovich moved to pass the FFY 2018 CDBG Resolution (see attached) as presented by Ms. Sterling. Second – Reis. Unanimous vote.

PUBLIC NUISANCE

Mr. Wiest explained several Resolutions were received from the Redevelopment Authority regarding declaring several properties as public nuisances. The city will act as the Board of Health to declare the properties a nuisance. Councilman Eister moved to pass a Resolution (see attached) naming 9 properties to the public nuisance list and allowing the Redevelopment Authority to proceed with eminent domain proceedings. Second – Reis. Unanimous vote.

Mr. Wiest also presented a Resolution (see attached) which adds the previous 9 properties to the entire nuisance list. This list contains 33 properties declared public nuisance. Mayor Karlovich moved to accept this Resolution allowing the eminent domain proceedings against all of them to commence. Second – Reichner. Unanimous vote.

Mr. Wiest presented a Resolution regarding the property located at 245-247 Penn St. It is the property Ms. Russell asked about at the beginning of the meeting. The council will vote as the Board of Health declaring this property a public nuisance. Councilman Reichner moved to pass this Resolution (see attached) declaring the property at 245-247 Penn St. a public nuisance and the code office can move forward with abatement of the public nuisance at this property. Second – Eister. Unanimous vote.

Mr. Wiest presented a Resolution declaring 241-243 Penn St. a public nuisance. This structure collapsed and caused damage to the existing structure. The council will act as the Board of Health and declare this property a public nuisance. Councilman Reichner moved to pass the Resolution (see attached) naming 241-243 Penn St. a public nuisance and the code office can move forward with abatement of the public nuisance at this property. Second – Reis. Unanimous vote.

Mr. Wiest explained the Redevelopment Authority is granting back to the city by deed, a property located at 1027 Keller St. next to the existing playground. Mayor Karlovich moved to accept the deed from the Redevelopment Authority and directing the solicitor to sign the deed as attorney for the grantee and have it duly filed. Second – Reis. Unanimous vote.

REASSIGN ENVIRONMENTAL REVIEW (ER) CERTIFYING OFFICER

Mayor Karlovich moved to pass a Resolution (see attached) to reassign the above for CDBG funds due to Ms. Delsite leaving the city's employ. The new certifying officer will be Terry Specht. Second – Reichner. Unanimous vote.

CES ENGINEERING BILLS

Invoice #180287 for \$2,500 to CES Engineering for Chestnut St. Phase 4 was tabled until a funding source is identified.

Councilman Eister moved to pay invoice #180286 in the amount of \$4,303.10 to CES Engineering for the WPA Wall Project to be taken out of the grant. Second – Reichner. Unanimous vote.

KEYSTONE RESOLUTION/APPLY FOR GRANT IN THE AMOUNT OF \$500,000

Councilman Eister moved to pass the Resolution (see attached) to apply for a \$500,000 Keystone Grant for the Reagan St. Flood Mitigation Project and to authorize Mayor Karlovich to sign all documents. Second – Reis. Unanimous vote.

APPROVAL TO PAY INVOICES

Mayor Karlovich moved to pay the invoices reported on the voucher's payable report in the amount of \$36,230.32 from the General Fund and \$1,553.82 from Liquid Fuels. Second –Reichner. Unanimous vote.

DISCUSSION

Mayor Karlovich explained that one of the officer candidates hired with stipulations and still in Act 120 School has withdrawn his application. A second civil service test was held last weekend. There were 4 candidates that applied to test but only 2 showed up for the physical and written exams. After all required testing is complete, Mayor Karlovich will submit their names for hire.

ANNOUNCEMENTS

Terry Specht announced the Minimum Municipal Obligation (MMO) for the police pension fund for 2019 is \$113,548. The MMO for the non-uniform pension plan is \$127,670.

Music in the Park August 28 7:00 pm-8:30 pm Blue River Spell (last one for the season)

Arts and Curiosities Fest with Wizardry – September 8th from 11 am to 5 pm at Stroh Alley and Woodlawn Ave. features art, craft and food vendors with activities.

AUDIENCE COMMENT

Eldridge Valto: Has not heard from the solicitor as he said he would at the last council meeting. Mr. Wiest said he investigated the situation and wanted to announce the issues at one time. He said he thinks the tree is within the right-of-way and the city would have the possible right to remove it. The problem is the neighbor feels strongly about the tree and threatens legal action if removed. Council has the right to remove the tree, or not remove it. Mr. Wiest asked council to give him the right to speak to the property owner and/or his attorney. It is a possible civil action between Mr. Valto and the property owner. Mr. Valto said letters were sent by the city to have the trees removed. The property owner asked Councilman Reichner if he could just cut the limbs and the answer was yes. Councilman Reichner said everyone had a choice – some took the trees down, some put the sidewalk around the trees, some put sidewalks on an arc. It was the property owner's option for what they wanted to do to alleviate the sidewalk problems. Mr. Valto said the tree has not been maintained for 50 years, what is the code office stand on that? The tree is dangerous with branches falling off. Councilman Reichner said several people came to look at the tree when he mentioned it at a prior council meeting. Mr. Valto wants everyone to look at it again. Councilman Reis asked to see a copy of the letter. Mr. Wiest suggested the mayor, Councilman Reichner and himself come to the property because otherwise there would be a quorum of council members present. A meeting date and time was set up.

Joe Bartello: If the city doesn't take the tree down, could they be liable if someone gets hurt? Mr. Wiest answered yes.

Jan Dockey: What did Councilman Reichner mean when he did hand gestures to explain a sidewalk repair? Councilman Reichner answered they made an arc in the sidewalk.

Regina Russell: An elderly gentleman lives at 1135 Court St. and his front porch is filled with construction materials. He is unable to get it moved. She feels it is a safety hazard and an eyesore. How can he get help? Also, in front of 200 Spruce St. there was a ski boat on a trailer on the sidewalk. What should she do when she sees something like that? Councilman Reichner said call the code office and they would check it out.

Deb Betz: Per the recommendation of the external investigation regarding Jim Eister and Kurt Karlovich, has any hostile work environment training been scheduled? The answer is not yet.

Dimos Panagolias: The tenants next to his property (49-51 N. 4th St.) moved his fence so they could enter the rear of their property. He had no trespassing signs on the fence. At another property (360 Arch St), there is a bus parked behind his property damaging his fence and he does not have access to the rear of that property. Mr. Rhoads said he looked at this property and the tenants locked the gate which gave no access to Mr. Panagolias's property. The neighbor unlocked the gate and Mr. Rhoads thought the issue was resolved. At 49-51 N. 4th St., the code office advised Mr. Panagolias that the issue was criminal trespassing and the code office could not control that and he would have to get in touch with the police. Mr. Long went to the property where the vehicles were parked so Mr. Rhoads could not comment on the resolution of that matter. Mr. Panagolias said he does not talk to the police. People were parking in his parking lot with no trespassing signs on it. He called the police

and they ran the license plate and the man came and moved the vehicle. Mr. Wiest said neither the code office nor the council members could do anything. He would have to talk to the police.

Bob Lehman: Lives in the 700 block of 7th St. The people in the old church homes blare music so loud they can hear it through their closed doors and windows with the air conditioner running and the TV on and he lives a block and a half away. They do not respect any of the neighbors. His wife is afraid to be in the home alone. All weekend they had music blaring in the neighborhood from morning until night. Councilman Eister suggested starting a file on this property and then they will have information needed to declare it a nuisance property. Councilman Reichner said there is a history of the nuisances on file. Mr. Lehman wanted to know who to contact and Councilman Reichner answered the non-emergency number at the 911 Center. That way there is a record on file because all calls are saved.

Meghan Beck: What grant was the Keystone Resolution passed for? It is for the Reagan St. flood mitigation project. Ms. Beck said her and Mr. Pangolias share some property boundaries. One of her properties is landlocked. There is access for 2 apartments at the rear of the building and a neighbor put a fence up so there is no egress. She asked Mr. Pangolias if they could use a portion of his property for egress and he said no. She did not know her tenants were causing issues and she will speak to them. The fences at the rear of several properties all come together in that area.

Bill Staley: Race St. is out of control. He was wondering why the cameras are not being used. Councilman Reichner said the money budgeted for camera maintenance was used to pay legal bills. Councilman Reichner said it was important to get the cameras on WIFI so the video can be viewed when needed.

Julie Brosius: There was a discussion about the camera grant at a prior meeting. Does the city have to pay the money back for the original camera grant? Mr. Wiest said there is an ongoing investigation but he can say there is no determination to have to repay the grant at this time. Ms. Brosius said the gentleman doing the installation was under investigation at the time and Mt. Carmel would not hire him. She feels that is a red flag.

Melissa Shaffer: Is the Meals on Wheels coordinator and asked council when the gas company would be finished with 5th St., 6th St. and Race St? Councilman Reis said they will be re-paving 6th St. but probably not until the spring but they will patch it now so it is more passable. They went to a 24 hour schedule so they could finish as soon as possible but may not be finished until October.

Bob Werline: There are large potholes near the fire police building and he asked if they could be patched.

The next city council meeting will be held on September 10, 2018 at 6:15 pm.

There being no further business to conduct, the meeting was adjourned at 7:25 pm.

Respectfully submitted,

Terry Specht, City Clerk