

**CITY COUNCIL MEETING
JUNE 20, 2016**

City Council met in regular session on Monday, June 20, 2016 at the Emergency Services (EMS) building, 21 Liberty Street, Lock Haven, Pennsylvania. The meeting was called to order at 7:00 p.m. by Mayor Baney who opened the meeting with a moment of silence. Mayor Baney then led Council in the Pledge of Allegiance.

Roll was called and present were Councilmembers Jonathan Bravard, Douglas Byerly, Richard Conklin, Ted Forbes, Steve Stevenson, Sara Stringfellow and Mayor William Baney. Also attending the meeting were City Manager Richard W. Marcinkevage, Assistant City Manager Gregory Wilson, and reporter Jim Runkle for The Express.

COUNCIL MINUTES

On motion of Mr. Forbes, seconded by Ms. Stringfellow and carried unanimously, Council approved the minutes of the meeting of June 6, 2016.

PUBLIC COMMENT PERIOD

There was none from those in attendance.

CORRESPONDENCE

Keystone Central Tax Office/Earned Income Tax Collections

The Manager acknowledged receipt of \$29,367.95 from Keystone Central Tax Office in Earned Income Tax Collections for the second payment for May.

Cystic Fibrosis Foundation/Appreciation

The Manager acknowledged receipt of a letter from Alaina Samarin, of the Cystic Fibrosis Foundation expressing appreciation for the use of Hanna Park for their 2016 Great Strides Walk. Ms. Samarin noted that in 2016 the Central PA Chapter raised over \$493,000 across their nine walks.

PA Department of Transportation/Railroad Crossing Safety Upgrade Program

The City Manager acknowledged receipt of a letter from Mark A. Schultz, District Grade Crossing Administrator for the PA Department of Transportation regarding the Railroad Crossing Safety Upgrade Program and requesting comments on Norfolk Southern's petition to remove pedestrian gates at three (3) crossings. The PA Public Utility Commission held a Field View to discuss the PA Department of Transportation application for approval to alter nine (9) public at-grade crossings of the Norfolk Southern Railway Company in the City of Lock Haven. The alterations are safety upgrades of railroad warning devices where the following streets cross the railroad: Water Street, Fourth Street, Bellefonte Avenue, Bald Eagle Road, Liberty Street, Vesper Street, Grove Street, Henderson Street and Hanna Street.

Discussions pertained to vehicular and pedestrian safety at the railroad crossings. At Water Street, Fourth Street and Bellefonte Avenue, Norfolk Southern petitioned for the removal of pedestrian gate mechanisms, stating that pedestrian gates do not stop all pedestrians and even after the flashing lights, bell and train whistle pedestrians will continue through the crossing. The railroad recommended an additional pedestrian bell at each crossing so that both sidewalks have this safety feature. The bell would initiate when the lights of the crossing have been activated.

With the upgrade of the signals, 12 inch LED roundels will be installed and in some cases additional roundels being placed for increased visibility on side streets and sidewalks. These larger LED signals offer greater visibility than the current 8 inch incandescent light at the crossings.

In addition, the railroad circuitry along the entire City corridor will be upgraded to a constant warning time circuitry, thereby allowing for consistent warning times of approaching trains at all of the crossings. Both Mr. Stevenson and Mr. Forbes objected to the removal of the pedestrian gates noting that more precautions in place means more safety for pedestrians. After a short discussion, the consensus of Council was to object to removal of the pedestrian gates and install the additional safety features suggested by PennDOT. The City Manager will forward Council's comments to PennDOT.

PUBLIC HEARING/ZONING ORDINANCE AMENDMENT/TEXT REGARDING TREATMENT CENTERS AND CRIMINAL HOUSING FACILITIES

A public hearing was held on a proposed amendment to the Zoning Ordinance to amend text regarding treatment centers and criminal housing facilities. Zoning Officer Cyndi Walker was in attendance and noted the amendment defines Treatment Centers and Criminal Housing Facilities which were not addressed in the Zoning Ordinance. She noted residents of treatment facilities as proposed in the zoning amendment are a protected class under the Americans with Disabilities Act and that the regulations set forth were reviewed by the City Solicitor to ensure they are compliant with this act. Because this is a protected class, adding additional conditions to the regulations could be construed as discriminatory. Treatment Centers are permitted by conditional use approval in the Public Institutional District. Residents in a Criminal Housing facility are not a protected class since they were being housed in this type of facility because they were referred by the court and/or a correctional facility. Criminal Housing Facility is permitted by conditional use approval in the General Commercial-Light Industrial and the Industrial Districts.

Definition for a Halfway House and Licensed Group Residence was revised. Parking requirements for Criminal Housing Facility, Halfway House, Personal Care Center and Treatment Center were uniformly applied.

Definition of Hospital was revised to allow a Treatment Center within a hospital.

Front yard setback was revised in Central Business District to allow for a 0' setback for new construction but not more than 10' front setback.

Ms. Walker noted the amendment was reviewed by the City and County Planning Commissions and both offered favorable comments. Mayor Baney asked for questions, comments and observations from Council. Mr. Forbes questioned whether there would be fines and/or penalties for violations of the new regulations and Ms. Walker and Ms. Hannagan noted fines and/or penalties are listed in the Zoning Ordinance. Mayor Baney had questions regarding the criminal housing facility use being located within one thousand (1,000) lineal feet of any property which contains one or more of the listed land uses where minors may congregate. Ms. Walker noted criminal housing facilities are allowed in specific zoning districts but it was not the City's responsibility to determine where in the district they can be located. Mayor Baney then asked for questions, comments and observations from others in attendance and there were none. **On motion of Mr. Stevenson, seconded by Mr. Conklin and carried unanimously, the following Ordinance was approved on First reading:**

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 670, WHICH ADOPTED THE CODE OF ORDINANCES FOR THE CITY OF LOCK HAVEN, CLINTON COUNTY, PENNSYLVANIA, TO AMEND CHAPTER 27 (ZONING), PART 2 DEFINITIONS AND TERMS, PART 8 CENTRAL BUSINESS DISTRICT, PART 10 GENERAL COMMERCIAL/LIGHT INDUSTRIAL DISTRICT, PART 11 INDUSTRIAL DISTRICT, PART 13 PUBLIC INSTITUTIONAL DISTRICT, PART 18 OFF STREET PARKING, LOADING AND ACCESS REGULATIONS, AND PART 20 SUPPLEMENTAL REGULATIONS.

OLD BUSINESS

There was none to report.

NEW BUSINESS

Consideration of Contract/Cohen Law Group

The Manager provided Council with a contract from the Cohen Law Group for assistance with approvals of communication towers and antennas. They have reviewed the City's current Zoning Ordinance and recommend that it be amended to address recent changes in wireless technology and changes in the laws. The proposal includes preparation of a draft ordinance for review by all applicable City officials and a final recommended ordinance to be considered by the Planning Commission and City Council. This cost would be billed based on professional hourly rates of \$200.00 per hour not to exceed \$4,500.00. **On motion of Mr. Bravard, seconded by Mr. Conklin and carried unanimously, Council approved the contract with Cohen Law Group for assistance with approvals of communication towers and antennas to a maximum of \$4500.**

Consideration of Contract/Gwin Dobson & Foreman/Sewage Plant Assistance

The City Manager provided Council with a contract from Gwin, Dobson & Foreman for sewage plant operating assistance. The Manager noted the proposed costs (hourly rate plus expenses not to exceed \$14,500), and services to be rendered which included developing standard operating procedures, develop preventative maintenance plans and ongoing operational assistance. **On motion of Mr. Bravard, seconded by Mr. Byerly and carried unanimously, Council approved the contract with Gwin, Dobson & Foreman for sewage plant operating assistance.**

Consideration of Contract/2016 General Fund Street/Alley Paving Project

The Manager provided Council with a Tabulation of Bids for the General Fund Street/Alley Paving Project. He noted three (3) bids were received and the low bid exceeded the estimate by approximately \$12,000. He recommended rejecting the bids, not awarding a contract, and including this project in a larger project to be bid later in the year. **On motion of Mr. Stevenson, seconded by Mr. Forbes and carried unanimously, Council voted to reject all bids.**

Authorization of County Aid Resolution/2016 General Fund Paving Project

The City Manager stated that since a contract was not awarded tonight regarding the paving project, this Resolution would not be necessary.

Authorization of Contract/Preparation of a Fair Housing Video

The City Manager provided Council with a Memo from Leonora Hannagan, City Planner, regarding Fair Housing Initiatives. Ms. Hannagan noted that as a recipient of CDBG and Home funding, the City is mandated by the PA Department of Community & Economic Development to promote Fair Housing initiatives. Each year the City must implement a new Fair Housing activity.

Ms. Hannagan recommended the following projects be implemented for 2016-2017:

2016 Fair Housing Training Workshop

The City in cooperation with Clinton County and the Clinton County Housing Authority would host another Fair Housing Training targeting banks, attorneys, the public, public housing, tenants as well as real estate and property management professionals. The training will provide a comprehensive overview of federal fair housing requirements as statutorily mandated by Title VIII of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988. PA Human Relations Commission in Harrisburg was contacted and agreed to provide the training free of charge and their only available date is Wednesday, August 10, 2016. The Durrwachter Alumni Conference Center has been tentatively reserved for that date for a fee of \$250.00. The training was originally

scheduled for a full day but the personnel from Harrisburg noted only a half day would be needed from 1:30 to 4:00 p.m. and no lunch would be needed. The registration cost will be minimal.

Clinton County and the Clinton County Housing Authority have tentatively agreed to host this event with the City and pay their share in the event the registration fees do not cover this training. If there is a cost to the City, it will be paid using Community Development Block Grant funds.

Since there is no need for lunch during the training session, Mr. Stevenson suggested using a different facility on the Lock Haven University campus which might be better suited for the training in place of the Durrwachter Center. Ms. Hannagan noted she would inquire about other sites.

2017 Fair Housing Video

Ms. Hannagan noted County Grants Coordinator Katie deSilva reached out to Lock Haven University to see if they would be interested in having their students create a Fair Housing video. According to the professor she spoke with they won't be offering a video production course until the fall of 2017, which is too late to start this video. However, she did offer the name of a student who had the requisite skill set to produce a video for us but he would want to be compensated for his efforts. His name is Brandon Clements, and he is a junior at LHU. Mr. Clements has agreed to create the video at a cost not to exceed \$1,200. This fee would be paid equally by the three participating agencies. The City and County's funding source would be the CDBG Program. Production of the video would begin in July 2016 and completed no later than April 1, 2017.

Ms. Hannagan noted the video would be targeted for 5th graders up to adults and would be available on the County and City website, social media and distributed to public and private schools. The purpose of the video is to educate the public on Fair Housing and to provide contact information to report suspected violations.

On motion of Mr. Conklin, seconded by Mr. Byerly and carried unanimously, Council authorized the City, along with Clinton County and the Clinton County Housing Authority, to host a Fair Housing Training workshop on August 10, 2016 at the Lock Haven University and approved the contract with Clinton County, Clinton County Housing Authority and Brandon Clements to create a Fair Housing video at a cost not to exceed \$1,200; cost to be shared equally by the three participating agencies.

Ordinance/Salaries and Wages for Non-Union Personnel for 2016

The Manager presented Council with an Ordinance that would establish salaries and wages for non-union personnel for 2016 with an increase based on 2% across the board. **On motion of Mr. Bravard, seconded by Mr. Conklin and carried unanimously, Council approved the following Ordinance on First reading:**

ORDINANCE NO. _____

AN ORDINANCE FIXING THE SALARIES AND WAGES FOR
NON-UNION EMPLOYEES OF THE CITY OF LOCK HAVEN FOR 2016

OTHER NEW BUSINESS

Mr. Conklin noted he had attended a Child Advocacy Presentation recently and that 673,000 young people in Pennsylvania are living on the margins of society, with 125,000 in the local conference.

Mr. Byerly noted that he and Mr. Stevenson attended a PML Conference and talked with the Borough Manager of Lewisburg regarding projects to enhance their downtown and invited any Councilmember or Staff member to review some of their facilities.

Mayor Baney noted he had received word from PennDOT regarding sidewalk cafes in Lock Haven and was informed that PennDOT has a curb to curb policy meaning they do

not maintain sidewalks. Mayor Baney suggested Council consider an ordinance regarding sidewalk cafes.

ADJOURNMENT

On a motion of Mr. Conklin, seconded by Mr. Stevenson and carried unanimously the meeting adjourned at 7:35 P.M.

Mayor

City Clerk

Mayor Baney announced there would be an executive session to discuss a personnel matter.