

**CITY COUNCIL MEETING
AUGUST 22, 2016**

City Council met in regular session on Monday, August 22, 2016 in Council Chambers, City Hall, Lock Haven, Pennsylvania. The meeting was called to order at 7:00 p.m. by Mayor William Baney who opened the meeting with a moment of silence followed by the Pledge of Allegiance.

Roll was called and present were Councilmembers Jonathan Bravard, Douglas Byerly, Richard Conklin, Sara Stringfellow and Mayor William Baney. Councilmember Ted Forbes arrived shortly thereafter. Also attending the meeting were City Manager Richard W. Marcinkevage, Assistant City Manager Gregory Wilson, City Planner Leonora Hannagan, and reporter Wendy Stiver for The Express.

COUNCIL MINUTES

On motion of Mr. Conklin, seconded by Mr. Byerly and carried unanimously, Council approved the minutes of the meeting of August 1, 2016.

PUBLIC COMMENT PERIOD

Mr. Kyle Coleman was in attendance to discuss the possibility of bringing the band, The Reagan Years, back to the floating stage since this concert was rained out in July. He explained that a number of area residents are raising the funds necessary and the concert would be held on Labor Day, September 5th as part of the Jaycees Labor Day Regatta. The City Manager stated that the floating stage is taken out of the river for the Regatta and would require a 4-man city crew to move the floating stage back into place for the concert. He explained that because of liability issues, no one except city personnel would be allowed to move the stage into position. According to Mr. Marcinkevage it would cost the city approximately \$400. Mr. Coleman stated that if they were able to raise more money than the amount needed to fund the band, which is \$3,200, they would provide these funds to the City to cover the staffing costs however, he could not commit to raising the additional funds. Councilman Byerly commended Mr. Coleman to extend the summer concerts and help the Jaycees. Councilman Stevenson stated he was supportive but wanted the City to break even. Councilman Conklin stated that they could not wait and see if the City would be reimbursed for the expense of moving the floating stage. Mayor Baney suggested that a collection could be done that night and the proceeds could offset the City's cost to move the stage. **On a motion of Mr. Conklin, seconded by Mr. Byerly and carried unanimously, Council approved the request to use the floating stage on Monday, September 5th for The Reagan Years concert and to provide a 4-man city crew to move the floating stage with reimbursement of expenses of moving the stage if possible.**

Mr. Art Dawes was in attendance to request the use of Canal Park to conduct Wilderness Survival courses. He explained he is the owner and lead instructor of PA Wilderness Skills Survival Training, and that he would not charge for this training which would be held 1 or 2 times a month, and would be open to all age groups. Mr. Stevenson suggested that Mr. Dawes consider partnering with the Heisey Museum and/or the Ross Library to help promote this type of activity. The City Manager requested that Mr. Dawes complete a Park Use form and provide proof of insurance. On a motion by Mr. Stevenson, seconded by Ms. Stringfellow and carried unanimously, Council approved Mr. Dawes request to use Canal Park to conduct Wilderness Survival courses.

Mr. Richard Morris advised Council that he was issued two on-street parking tickets on the same day at the same spot, however, there was no language in the on-street parking ordinance which states that more than one ticket can be issued. According to the City Manager, Mr. Morris spoke to the Assistant Manager Greg Wilson about this issue and he was told that he will be charged for only one ticket. He added that the parking enforcement officers were told to issue only one ticket for on-street parking meters until the Ordinance can be changed. Mr. Morris added that the ordinance allows three forms of payment: using the envelope provided with the parking ticket and placing it in one of the parking fine boxes installed at various locations, mailing the envelope, or paying in person. He stated that the City does not provide envelopes so 2 of the 3 ways to pay are not valid. He also complained that he had received a violation notice from the Police Department ten days after a ticket was issued, and that the amount stated on the violation was incorrect. According to the Assistant City Manager the envelopes are on back order and as soon as the City receives them the parking enforcement officers will use them.

CORRESPONDENCE

Lock Haven University/Emergency Services Contribution

The City Manager acknowledged receipt of the University's annual contribution towards emergency services in the amount of \$4277. He noted \$4,500 had been budgeted.

Federal Emergency Management Agency/Assistance to Firefighters Grant

The City Manager provided notification from the Federal Emergency Management Agency (FEMA) that the City was not awarded an Assistance to Firefighters Grant (AFG) for the Hope Hose Company exhaust removal system. He noted that the total project cost was \$36,000.

Keystone Central Tax Office/Earned Income Tax

The City Manager acknowledged receipt of \$19,218.04 from the Keystone Central Tax Office in earned income tax collections for July.

Comcast CATV/Second Quarter Franchise Fees

The City Manager acknowledged receipt of \$19,239.84 from Comcast for the second quarter franchise fees.

Sons and Daughters of Italy/Clinton County Economic Partnership Time Out

The City Manager notified Council of an invitation to a "Time Out" sponsored by the Clinton County Economic Partnership on September 22, 2016 at the Son and Daughters of Italy's new Italian Courtyard.

AvSPORT of Lock Haven/Commercial Drone Pilot Training

The City Manager presented a letter from Paul Shuch, Chief Flight Instructor, AvSport of Lock Haven, requesting approval to conduct a practice drone operations at Piper Memorial Airport on August 2 – 4, 2016 in preparation of a Commercial Drone Pilot training course on September 6-8, 2016. **On a motion by Mr. Forbes, seconded by Ms. Stringfellow and carried unanimously, Council ratified approval to AvSport to use the area at the south side of the runway to conduct practice drone operations on August 2-4, 2016 and approved the use of the south side of the runway at Piper Memorial Airport to conduct Commercial Unmanned Aerial System (drone) Pilot Command training on September 6-8, 2016.**

OLD BUSINESS

Ordinance/Restricting Truck Traffic

The City Manager presented an Ordinance restricting truck traffic on various streets. He noted that first reading was held on August 1, 2016 and there have been no changes from the first reading. Ms. Cindy Campana Straley, who was in attendance at the meeting, asked if there were fines associated with the ordinance and asked what they were. Mr. Marcinkevage stated that there were fines but they are not very high because they are set by the Motor Vehicle Code. Ms. Straley asked what they can do to help enforce the ordinance, and Mr. Marcinkevage said that if they see violators they should call the Communications Center who will alert the police to respond. **On a motion of Mr. Bravard, seconded by Mr. Stevenson and carried unanimously, Council approved the following Ordinance on Second reading:**

ORDINANCE NO. 959

AN ORDINANCE AMENDING ORDINANCE NO. 670, CHAPTER 15,
REGULATING TRAFFIC AND PARKING IN THE CITY OF LOCK HAVEN,
IMPOSING PENALTIES FOR VIOLATION

Ordinance/Establishing Budget for the 2015 CDBG Program (Fund 36)

The City Manager presented an Ordinance establishing a budget for the 2015 CDBG Program (Fund 36). He noted that first reading was held on August 1, 2016 and

there have been no changes from the first reading. **On motion of Ms. Stringfellow, seconded by Mr. Conklin and carried unanimously, Council approved the following Ordinance on Second reading:**

ORDINANCE NO. 960

AN ORDINANCE OF THE CITY OF LOCK HAVEN, CLINTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE COMMUNITY DEVELOPMENT FUND DESIGNATED AS PROJECT NO. C000063286 FOR THE PERIOD BEGINNING MAY 19, 2016 AND ENDING MAY 18, 2021

NEW BUSINESS

EVENT/PROPERTY USE REQUESTS

Cystic Fibrosis Foundation/Request for use of Hanna Park

The City Manager acknowledged receipt of a request by the Cystic Fibrosis Foundation to use Hanna Park for 2017 “Great Strides” walk on May 13, 2017. He noted that they have used Hanna Park for the past two years for this event and recommended approval.

Clinton County Conservation District/Request to install sign at Hanna Park

The City Manager acknowledged receipt of a request by the Clinton County Conservation District to install a temporary sign at Hanna Park advertising the Farm–City Festival on September 24, 2016. **On a motion of Mr. Stevenson, seconded by Mr. Byerly and carried unanimously, Council approved the request of the Cystic Fibrosis Foundation to use Hanna Park on May 13, 2017 for the “Great Strides” walk, and the Clinton County Conservation District to install a temporary sign at Hanna Park.**

2016 PA Municipal League Annual Summit/Appointment of Voting Delegate & Alternate

The City Manager noted the need to appoint a voting delegate and alternate to the 2016 PA Municipal League Annual Summit held in Lancaster on October 4-6, 2016. **On a motion of Mr. Conklin, seconded by Ms. Stringfellow and carried unanimously, Council appointed Mr. Stevenson as the voting delegate, and Mr. Conklin as the alternate to the 2016 PA Municipal League Annual Summit.**

Consideration of award of contract for 2016 CDBG Paving Project No. 2 to Charles Construction

The City Manager stated that three bids were received for the 2016 CDBG Street Paving Project, No. 2 and the low bidder was Charles Construction Company, Inc. based on a low bid of \$128,969.00. He added that staff reviewed the bid from Charles Construction and found it to be acceptable. **On a motion of Mr. Stevenson, seconded by Mr. Conklin and carried unanimously, Council awarded a contract for the 2016 CDBG Street Paving Project, No. 2 to Charles Construction, Inc. in the amount of \$128,969.00.**

Consideration of an ordinance amending salaries and wages for Non Union employees to comply with Fair Labor Standards Act, Part 541

The City Manager presented an Ordinance amending the salaries and wages for non-union employees to comply with the Fair Labor Standards Act, Part 541 regarding overtime requirements. He explained that the Fair Labor Standards Act, Part 541 now requires that salaried employees earning less than \$47,476 be paid overtime for time worked in excess of 40 hours per week. He stated that the Ordinance applies to administrative personnel. He added that for the majority of the employees the Ordinance Changes them from salaried to hourly employees, and they are eligible for overtime, but total earnings would not change unless they did work overtime. However, for two positions, the Code Enforcement Officer and Sewer Superintendent, the amount of overtime worked by those people made it more cost effective to leave the two positions salaried, but increase the salary to \$47,476. **On a motion of Mr. Conklin, seconded by**

Mr. Bravard and carried unanimously, Council approved the following Ordinance on First reading:

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 956, FIXING THE SALARIES AND WAGES FOR NON-UNION EMPLOYEES OF THE CITY OF LOCK HAVEN FOR 2016.

Mr. Stevenson suggested that staff review the fees charged for permits and inspections. Although no formal action was taken it was the consensus of Council that City staff should review the fee schedule for various permits and inspections.

Discussion of 2014 and 2016 CDBG Programs Public Hearing.

The City Manager advised Council that a public hearing was held earlier on proposed changes to the 2014 Community Development Block Grant (CDBG) Program, and the proposed activities for the 2016 CDBG Program. He asked City Planner Leonora Hannagan to present the results of the public hearing.

2014 CDBG Public Hearing

Ms. Hannagan explained that the purpose of the public hearing was to provide the public with an opportunity to comment on the proposed budget modifications to the 2014 CDBG Program. She explained that the public hearing notice was published in The Express on August 12, 2016, and posted on the entrance door to City Hall and on the City's website. Ms. Hannagan stated that several people were in attendance but no comments were made by the public.

Ms. Hannagan recommended a budget modification to reallocate \$103,275.60 in unexpended FY 2014 CDBG funds from two previously approved paving activities (West Bald Eagle Street Paving Project and East Church Street Parking Lot No. 2 Paving Project) which were completed by Charles Construction and transfer these funds to a new street paving activity (South Jones Street Paving Project) which is also proposed in the 2016 CDBG Program. The proposed budget modification, which is also subject to approval by the PA Department of Community and Economic Development, is provided as follows:

Decrease Activities:

West Bald Eagle Street Paving Project – Transfer \$ 95,252.11 to the South Jones Street Paving Project. Original Budget - \$216,850.00. Revised Budget – \$121,597.89

East Church Street Parking Lot #2 Paving Project – Transfer \$8,023.49 to the South Jones Street Paving Project. Original Budget - \$19,566.00 . Revised Budget - \$11,542.51

New Activity:

South Jones Street Paving Project from Maple Street to the end. Mill and pave street and reconstruction 4 ADA ramps. Total Project Cost - \$155,733, of which \$52,458 is proposed in 2016 CDBG Program & \$ 103,275.60 is proposed in 2014 CDBG Program.

On a motion of Mr. Bravard, seconded by Mr. Byerly and carried unanimously, Council approved the budget modification for the FY 2014 CDBG Program contingent upon DCED approval.

2016 CDBG Public Hearing

Ms. Hannagan explained that this was the second of two public hearings to be held regarding the FY 2016 Community Development Block Grant (CDBG) Program. She explained that the purpose of the hearing was to provide the public with an opportunity to comment on the proposed use of 2016 CDBG funds. The public hearing was published in The Express on August 12, 2016, and posted on the entrance door to City Hall and on the City's website. Ms. Hannagan advised that the proposed projects for FY 2016 CDBG funding include:

Street Improvements

Mill and pave 5 blocks along South Fairview Street from Bellefonte Avenue to Peach Street and reconstruct 5 handicap ramps at an estimated cost of \$147,956; of which \$86,748 is 2016 CDBG funds & \$61,208 is City funds.

Mill and pave 5 blocks along South Jones Street from Maple Street to the end and reconstruct 4 handicap ramps at an estimated total cost of \$155,733; of which \$52,458 is 2016 CDBG funds, and \$103,275.60 is 2014 CDBG funds.

Mill and pave 3 blocks along West Third Street from North Highland Street to Barton Street and reconstruct 2 handicap ramps at an estimated total cost of \$84,620; all of which is 2016 CDBG funds.

Program Administration

Costs associated with the administration of the CDBG Program. A maximum of 18% in CDBG funds can be used for program administration. Total project cost – \$49,132

Total FY 2016 CDBG Program allocation is \$272,958.

Ms. Hannagan stated that the City did receive an application from the Lock Haven YMCA for a BackPack Program in the amount of \$5,000 to provide a bag of nonperishable food to students who qualify for free and reduced lunch in the Keystone Central School District which they can take home when school meal programs are unavailable. CDBG funds would be used to distribute food to students in the Lock Haven City elementary schools: Dickey and Robb Elementary. The total estimated program cost is \$15,000. Ms. Hannagan explained that this type of project is considered a public service activity under the CDBG Program guidelines, and that public service activities must be either a new activity or a quantifiable increase in the delivery of an existing service. Because this program is to begin in September 2016, and FY 2016 CDBG funds would not be available until 2017, the YMCA would need to document that there is a quantifiable increase in the number of students served from the previous year to be an eligible public service activity. Additional information was also requested regarding the number of students served, a breakdown of the total project costs, documentation needed to determine the income eligible of each student participating in this program. On August 8, 2016, Mark Casson, CEO of the Lock Haven YMCA, withdrew the application for 2016 CDBG funds.

Ms. Hannagan stated that the proposed projects will be published in the newspaper on September 2, 2016 and City Council will consider approving the FY 2016 CDBG application at their September 12, 2016 meeting. She added that the deadline to file the CDBG application with DCED is September 23, 2016.

Consideration of budget revision for the 2013 CDBG Program.

The City Manager presented Council with a memo from City Planner Leonora Hannagan regarding a proposed budget revision to the FY 2013 Community Development Block Grant (CDBG) Program. Ms. Hannagan indicated that there is a balance of \$7,479.08 in the 2013 CDBG Program which must be spent within a three year time period ending on January 9, 2017. She explained that these funds are budgeted in the Sidewalk Replacement Program, and although the City published a press release in the local newspapers and sent out violation letter in July 2016 to 42 property owners who have code deficient sidewalks in 2nd and 5th Wards of the City, the City has received no interest in the Sidewalk Replacement Grant Program. She explained that to date 23 property owners have contacted the code office to correct their sidewalks; none of which have expressed an interest in the City's sidewalk grant or loan program and the remaining 19 property owners have not contacted the code office, and will receive a second letter in the next few days to remind them they must correct their sidewalks or be issued a violation notice. According to Ms. Hannagan there is an additional \$30,000 in 2015 CDBG funds for the Sidewalk Replacement Grant Program, and therefore, City staff is recommending that Council consider approving a budget revision to reprogram \$7,479.08 in FY 2013 CDBG funds from the Sidewalk Replacement Program funds to the West Walnut Street Paving Project. She added that there is an additional \$73,958.00 budgeted for the West Walnut Street Paving Project in the 2015 CDBG Program. Ms. Hannagan added that the budget revision approval would be subject to approval by PA DCED. **On a motion of Mr. Conklin, seconded by Mr. Stevenson and carried unanimously,**

Council approved the budget revision for the FY 2013 CDBG Program contingent upon DCED approval.

Consideration of budget transfers

The City Manager presented Council with a memo from City Planner Leonora Hannagan regarding proposed budget transfers to the 2014 CDBG Program (Fund 053), 2015 CDBG Program (Fund 031) and the 2012 HOME Program (Fund 052). Ms. Hannagan explained that on August 1, 2016 Council approved a budget modification transferring \$25,000 from the Comprehensive Plan Update to General Program Administration in the 2014 CDBG Program which was approved by DCED on August 4, 2016. She explained that the proposed budget transfer for Fund 053 transfers these funds to various program administration accounts within the 2014 CDBG Program as well as transferring \$8,700 from the pre-agreement account to the planner wages account.

Regarding the proposed budget transfers for the 2015 CDBG and 2012 HOME Programs, Ms. Hannagan stated that the new software system allows the City to pro-rate the fringe benefits costs for each pay period rather than reimburse the City semi-annually from these funds. The proposed budget transfers provide funding within each fringe benefit (health, dental, etc.) activity line.

On motion of Ms. Stringfellow, seconded by Mr. Stevenson and carried unanimously, Council approved the following budget transfers:

FROM:			TO:			
DEPARTMENT	ACCOUNT	DESCRIPTION	DEPARTMENT	ACCOUNT	DESCRIPTION	AMOUNT
2014 CDBG Program	53401-40315	Comprehensive Plan	2014 CDBG Program	53401-10144	Vince Shay	\$ 1,500.00
2014 CDBG Program	53401-40315	Comprehensive Plan	2014 CDBG Program	53401-11156	Health Insurance	\$ 5,000.00
2014 CDBG Program	53401-40315	Comprehensive Plan	2014 CDBG Program	53401-11158	Dental Insurance	\$ 200.00
2014 CDBG Program	53401-40315	Comprehensive Plan	2014 CDBG Program	53401-11580	Life Insurance	\$ 75.00
2014 CDBG Program	53401-40315	Comprehensive Plan	2014 CDBG Program	53401-10133	Planner Wages	\$ 7,475.00
2014 CDBG Program	53401-40315	Comprehensive Plan	2014 CDBG Program	53401-11161	Social Security Taxes	\$ 750.00
2014 CDBG Program	53401-40315	Comprehensive Plan	2014 CDBG Program	53401-40320	General Program Administration	\$ 10,000.00
2014 CDBG Program	53401-40321	Pre-Agreement Expenses	2014 CDBG Program	53401-10133	Planner Wages	\$ 8,700.00
2015 CDBG Program	01-031-401-40320	General Program Admin	2015 CDBG Program	01-031-401-11156	Health Insurance	\$ 4,000.00
2015 CDBG Program	01-031-401-40320	General Program Admin	2015 CDBG Program	01-031-401-11158	Dental Insurance	\$ 200.00
2015 CDBG Program	01-031-401-40320	General Program Admin	2015 CDBG Program	01-031-401-11580	Life Insurance	\$ 100.00
2015 CDBG Program	01-031-401-40321	Pre-Agreement Expenses	2015 CDBG Program	01-031-401-10144	Vince Shay	\$ 1,000.00
2015 CDBG Program	01-031-401-40321	Pre-Agreement Expenses	2015 CDBG Program	01-031-401-11156	Health Insurance	\$ 2,000.00
2012 HOME Program	52401-31100	Audit	2012 HOME Program	52401-11156	Health Insurance	\$ 2,850.00
2012 HOME Program	52401-31100	Audit	2012 HOME Program	52401-11158	Dental Insurance	\$ 100.00
2012 HOME Program	52401-31100	Audit	2012 HOME Program	52401-11580	Life Insurance	\$ 50.00
2012 HOME Program	52401-31220	Housing Consultant Services	2012 HOME Program	52401-10133	Planner Wages	\$ 3,000.00
2012 HOME Program	52401-40320	General Program Admin	2012 HOME Program	52401-10133	Planner Wages	\$ 2,000.00

OTHER NEW BUSINESS

Pickleball Court/Hanna Park

The City Manager informed Council that staff has added pickleball court markings to one tennis court at Hanna Park.

Tree Removal

The City Manager advised Council that the property owner at 232 West Church Street was directed to remove a hazardous tree but the owner has not responded. The City will remove the tree and bill the owner and lien the property if necessary. Mr. Marcinkevage also stated that several trees are being removed at Memorial Park.

Update on Results of Judicial Sale

The Manager reminded Council that four properties located in the City were sold at a Judicial Sale. The City received \$5,777.97 in back taxes from the sale of three properties; the fourth property did not have any funds available for the City to recoup.

Mr. Bravard stated he would like to initiate discussion on moving Veterans memorials to Canal Park.

ADJOURNMENT

On a motion of Mr. Conklin, seconded by Mr. Stevenson and carried unanimously the meeting adjourned at 8:30 P.M.

Mayor

City Clerk