

**City Council Meeting
May 21, 2018**

City Council met in regular session on Monday, May 21, 2018 Council Chambers, City Hall, Lock Haven, Pennsylvania. The meeting was called to order at 7:00 P.M. by Mayor William Baney III who opened the meeting with a moment of silence followed by the Pledge of Allegiance.

Roll was called, and present were Council members Richard Conklin, Steve Stevenson, Sara Stringfellow, and Mayor William Baney. Absent were Joel Long and Doug Byerly.

Also attending the meeting was City Manager, Gregory Wilson, reporter Wendy Stiver from The Express, and John Lipez from The Record.

COUNCIL MINUTES

On a motion of Mr. Conklin, seconded by Ms. Stringfellow and carried unanimously, Council approved the minutes of the meeting of the May 7, 2018 regular meeting of Council.

PUBLIC COMMENTS

Mr. John White, a resident of Flemington whose property borders the City, requested that Council consider an ordinance to prevent people from teasing animals. Mr. White explained his situation with neighbors teasing his dogs causing them to act in an aggressive manner. On a recommendation by the dog officer, Mr. White attended the meeting to inform Council and request some assistance. Mr. Wilson stated that staff can look into ordinances that would address animal teasing. Mr. Stevenson also recommended that Mr. White attend a County Commissioners meeting.

Consideration of Resolution No. 1305 for support under Section 802.b for a Waiver of Prohibition of Section 802.a.3 of Act 16 of 2016 “Medical Marijuana Act” which prohibits dispensaries within 1,000 feet of the property line of a public, private or parochial school or day-care center.

Mr. Flanagan, Clinton County Economic Partnership, was present to discuss item 9B under new business on the agenda, consideration of Resolution No. 1305 for support under Section 802.b for a waiver of prohibition of Section 802.a.3 of Act 16 of 2016 “Medical Marijuana Act” which prohibits dispensaries within 1,000 feet of the property line of public, private or parochial school or day care center. Mr. Flanagan explained that the Medical Marijuana initiative began a few years ago. He said that Clinton County was eligible for a dispensary and a grower this year and one Clinton County company did apply. There was some interest to place a dispensary in the City of Lock Haven however he said that he found that one of the provisions called for a dispensary not being within 1,000 feet of a school or day care. Mr. Wilson provided a map that demonstrated this. Mr. Flanagan felt that if the City would approve this resolution companies interested in opening dispensaries might look to locate in the City. The Manager stated that the resolution encourages the Department of Health that if a waiver was needed Council would be receptive to the Department of Health providing such a waiver.

On a motion by Mr. Conklin and seconded by Mr. Stevenson, Council approved a Resolution No. 1305 for support under Section 802.b for a Waiver of Prohibition of Section 802.a.3 of Act 16 of 2016 “Medical Marijuana Act” which prohibits dispensaries within 1,000 feet of the property line of a public, private or parochial school or day-care center.

Consideration of Candidate for the vacancy of City Council Member for a term ending Jan 5, 2020.

The Mayor stated there are four applicants to be considered for the vacancy on Council. The Manager explained that the third-class city code states that when a vacancy occurs on City Council, Council must appoint a qualified resident within 30 days to the position by a majority of remaining members on City Council. Since there are six remaining members, at least four members of Council must vote in the affirmative in support of the candidate. He stated that four residents submitted applications and three are present this evening, Merle Harnish, Richard Morris and William Mincer. All three of these individuals have submitted the required affidavit of residency. He stated that Council may choose to interview all, some or none and it is up to Council how to proceed to move forward to fill the vacancy.

On a motion by Mr. Conklin, seconded by Ms. Stringfellow, Richard Morris was recommended to fill the vacancy of City Council. The motion did not pass with three votes for and one vote against the motion.

On a motion by Mr. Conklin, seconded by Ms. Stringfellow, Council approved tabling the consideration of a candidate for the vacancy of City Council for two weeks so that Council has the opportunity to interview the candidates for the position.

CORRESPONDENCE

Property Use Request: Use of the Clinger Walkway on June 9 from 9:30-11:30 for the 2018 LHU Haven Hero's 5K Walk/Run sponsored by LHU Track

The Manager presented a property use application from the Lock Haven University Track and Field Team to host Haven Hero's 5 K Walk/Run on June 9 from 9:30 am to 11:30 am.

On a motion by Mr. Stevenson, seconded by Mr. Conklin, Council approved the facility Use request for the use of the Clinger Walkway on June 9th from 9:30 am to 11:30 am for the 2018 LHU Haven Hero's 5 K Walk/ Run sponsored by the Lock Haven University Track Team.

2018 PML Sustainability Conference

The Manager notified Council that the 2018 Pennsylvania Municipal League Sustainability Conference will be held on June 5, 2018. Council members interested in attending may contact Mrs. Boileau who is also attending.

Award of \$1-million for the streetscape of E Church Street from Bellefonte to Jay Streets (Engineering to be paid from 2017 CDBG funds, additional \$500,000 being sought in a grant from DCED Keystone Communities)

The Manager acknowledged receipt of notification of an award of \$1 million in grant funding for the streetscape project on East Church Street from Bellefonte Avenue to Jay Streets. He stated that the engineering costs will be paid from the 2017 CDBG funding with an additional \$500,000 being sought from the Pennsylvania Department of Community and Economic Development Keystone Communities Program.

UNFINISHED BUSINESS

Consideration of Ordinance No. 987 vacating a portion of Locust Alley (2nd Reading)

The Manager presented an ordinance vacating the southernmost portion of Locust Alley, approximately 160 feet. He stated that this was second reading and there were no changes.

On a motion by Mr. Stevenson, seconded by Ms. Stringfellow, and carried unanimously, council approved consideration of Ordinance No. 987 vacating a portion of Locust Alley, second reading.

ORDINANCE NO. 987

AN ORDINANCE VACATING A PORTION OF LOCUST ALLEY.

Consideration of Ordinance No. 988 vacating a portion of Pine Street (2nd Reading)

The Manager presented an ordinance providing for the vacating of the southernmost portion of Pine Street, a distance of approximately 406 feet. He stated that there were no changes since first reading.

On a motion by Mr. Stevenson, seconded by Ms. Conklin, and carried unanimously, council approved consideration of Ordinance No. 988 vacating a portion Pine Street, second reading.

ORDINANCE NO. 988

AN ORDINANCE VACATING A PORTION OF PINE STREET.

Consideration of Resolution No. 1304 application for \$44,397 from Clinton County's 2018 liquid fuels funds to be used as this year's share of E Walnut St.

The Manager stated that this is the official application to Clinton County for liquid fuels funds. He stated that the Clinton County Commissioners were receptive and did approve the amount of \$44,397 towards the paving of East Walnut Street.

On a motion of Mr. Conklin, seconded by Ms. Stringfellow, and carried unanimously, Council approved Resolution No. 1304 applying for \$44,397 from Clinton County's 2018 liquid fuels funds to be used as this year's share of East Walnut Street.

NEW BUSINESS

Consideration of an agreement with Rosamilia, Brungard & Rosamilia and Boni, Zack & Snyder to provide representation to the City in a class action lawsuit against opioid pharmaceutical companies.

Attorney Rosamilia presented information on class action lawsuit against opioid pharmaceutical companies. He stated that the County has already signed a contingency agreement. He stated that he has approached every municipality with a police department and he felt the City has a considerable interest in pursuing this.

On a motion by Mr. Conklin, seconded by Mr. Stevenson and carried unanimously, Council approved an agreement with Rosamilia, Brungard & Rosamilia and Boni, Zack & Snyder to provide representation to the City in a class action lawsuit against opioid pharmaceutical companies.

Consideration of Ordinance No. 990 setting the speed limits on portions of Hanna Street, Second Ave, Third Ave, Maple, Bennage, and Woods Ave to 25 MPH (1st Reading)

The Manager presented Ordinance No. 990 on first reading to lower the speed limit on the streets that the City took back from PennDOT on portions of Hanna Street, Second Ave, Third Ave, Maple, Bennage, and Woods Ave reducing the speed limit from 35 mph when they were state roads to 25mph. He stated that this would make all City street speed limits consistent at 25 mph.

On a motion of Ms. Stringfellow, seconded by Mr. Conklin and carried unanimously, Council approved Ordinance No. 990 setting the speed limits on portions of Hanna Street, Second Avenue, Third Avenue, Maple, Bennage and Woods Avenue to 25 MPH, First Reading.

Award of the contract for unleaded, diesel and heating fuel

The Manager stated that bid packages for fuel were sent to several different organizations. Superior Plus Energy, the company currently holding the contract with the City declined to submit a bid, making Nittany Oil Company the successful bidder. Nittany Oil Company's bid was .355 for regular unleaded, .245 per gallon for on road sulfur, heating fuel at .245 per gallon and off-road diesel at .245 per gallon. The Manager recommended that the contract with Nittany Oil Company be approved for the term of one year.

On a motion of Mr. Stevenson, seconded by Ms. Stringfellow, and carried unanimously, council approved a contract for unleaded, diesel and heating fuel with Nittany Oil for one year.

Employee Update

The Manager stated that he had a nomination for consideration of Council for a vacancy on the Redevelopment Authority of Kim Stiles for a term ending January 2023.

On a motion by Ms. Stringfellow, seconded by Mr. Conklin, and carried unanimously, Council approved the nomination of Kim Stiles to the Redevelopment Authority for a term ending January 2023.

The Manager notified Council that there is a vacancy on the Flood Protection Authority. Those interested in serving on the Flood Protection Authority may submit a letter of interest for consideration at City Council's next meeting.

The Manager notified Council that Officer Raybuck has submitted his resignation effective July 6, 2018 as he is moving to Missouri.

Other Matters

Mr. Conklin reminded those present that the 2018 Summer Concerts open June 1st in Triangle Park with the Deacons of Dixieland.

Mr. Stevenson stated that he had boat stickers for \$25 donation.

Mayor Baney explained that there was an executive session prior to the Council Meeting to discuss a personnel issue.

Adjournment

On a motion by Mr. Conklin, seconded by Ms. Stringfellow, the meeting adjourned at 7:55 pm.