

**City Council Meeting  
April 1, 2019**

City Council met in regular session on Monday, April 1, 2019 in Council Chambers, City Hall, Lock Haven, Pennsylvania. The meeting was called to order at 7:00 PM Vice President Joel Long who opened the meeting with a moment of silence followed by the Pledge of Allegiance.

Roll was called and present were Council Members Douglass Byerly, Joel Long, William Mincer, Richard Morris, and Steve Stevenson. Also in attendance were City Manager Gregory Wilson, Human Resource Specialist Ivana Trader, Laura Jameson with The Express, John Lipetz with The Record, Chief of Police Kristen Smith, and residents Brittany Phoenix and Gary Linn.

*COUNCIL MINUTES*

**On a motion made by Mr. Conklin, seconded by Mr. Morris and carried unanimously, the minutes of the March 18, 2019 meeting were approved with the correction of Mr. Stevenson's name on the third page.**

*PUBLIC COMMENT*

None

*CORRESPONDENCE*

Sugar Valley Charter School Baseball requested use of Taggart Park junior league field on May 6, 2019 from 2PM-9PM for a PIAA baseball event. . **On a motion made by Mr. Mincer, seconded Mr. Byerly and carried unanimously, the request for the use of Taggart Park on May 6 was approved.**

Aftershock softball requested use of Taggart Park junior league field on May 11 & 12, 2019 for a softball tournament. **On a motion made by Mr. Mincer, seconded by Mr. Morris and carried unanimously, the request for the use of Park Taggart Park on May 11 & 12 was approved.**

Lock Haven University's Kent's Fest requested restriction of parking on W Main St in front of LHU East Campus gym on April 26, 2019 from 8AM-3:30PM for the participant pick-up/drop-off. **On a motion made by Mr. Stevenson, seconded by Mr. Mincer, and carried unanimously, the request for restricted parking on W Main St was approved.**

The Manager provided notification of the CCEP Time-out on April 25, 2019 from 5PM-7PM at Lock Haven University Ulmer Hall lobby.

## UNFINISHED BUSINESS

Council once again addressed the proposed amendment to the City Code to include the addition of a Noise Ordinance which was considered and approved on first reading at the March 4, 2019 regular meeting of Council. The motion was moved by Mr. Byerly and seconded by Mr. Conklin to adopt the proposed Noise Ordinance. Chief Smith was present to answer questions and comments. Mr. Mincer expressed his objection to the subjective nature of the ordinance and expressed his desire to see a more objective list of criteria including decibels levels at distances. Mr. Morris agreed that the ordinance should be objective and should not enable the police to make the decision on what is an acceptable standard for unreasonable noise. Mr. Stevenson expressed that the penalty was too high for the first offense and suggested a progressive fee system be in place. Chief Smith said it stated that the first offense fine was not to exceed \$600 and it would be at the discretion of the Magistrate. Mr. Stevenson also questioned whether the penalty would apply to the homeowner/landlord or the tenant. Chief Smith stated that the tenant having the party would be charged.

Mr. Long requested clarity of why we needed the ordinance. City Manager explained that it was originally brought to Council by request by local bars and clubs which are subject to State Liquor Control enforcement because the City doesn't have its own specific noise ordinance. With a noise ordinance, the City could petition the State to have the City's ordinance supersede the State's.

Chief Smith read the objective standards that were originally included in the ordinance, which in part, states the time restrictions being 8AM-10PM, the noise level must not exceed past 50 feet beyond property line, and from the hours of 10PM-8AM, the noise level must not exceed the property line. Chief Smith suggested to stay away from using decibel meters as it would be costly for the city for the equipment. It was the consensus of Council that returning the original provisions which were removed would be sufficient to the majority of Council. The Ordinance will be returned to the April 15 regular meeting of Council for its consideration on first reading with second reading to be held May 6.

Council held a public hearing for a proposed amendment to the City Code Zoning relating to the location, placement, construction and maintenance of wireless communication towers and antennas. Mr. Stevenson questioned that the contractor must comply with FCC standards and if the City. Mr. Conklin requested the inclusion of language to encourage installation in alleys rather than on streets. Council then considered Ordinance No. 2019-01 on second reading. **On a motion by Mr. Conklin, seconded by Mr. Byerly and carried unanimously, the ordinance was approved on first reading as follows:**

### ORDINANCE NO. 2019-01

AN ORDINANCE OF THE CITY OF LOCK HAVEN, CLINTON COUNTY, PENNSYLVANIA; PROVIDING FOR THE AMENDMENT OF THE ZONING ORDINANCE OF THE CITY OF LOCK HAVEN; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE AMENDMENT OF CERTAIN GENERAL AND SPECIFIC STANDARDS RELATING TO

THE LOCATION, PLACEMENT, CONSTRUCTION AND MAINTENANCE OF WIRELESS COMMUNICATIONS TOWERS AND WIRELESS COMMUNICATIONS ANTENNAS; PROVIDING FURTHER FOR THE AMENDMENT OF CERTAIN GENERAL AND SPECIFIC STANDARDS FOR SUCH FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR THE ENFORCEMENT OF SAID REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Consideration of Resolution No. 1336 in regard to establishing the rules for the meetings of City Council. Mr. Mincer asked if putting the rules in place was the next step to videotaping the meetings. **On a motion by Mr. Mincer, seconded by Mr. Byerly, the resolution was adopted with Mr. Stevenson voting against.**

#### NEW BUSINESS

Council considered ORDINANCE NO. 2019-02 AMENDING CHAPTER 170 OF THE CODE OF ORDINANCES “ALCOHOLIC BEVERAGES” TO PERMIT THE GRANTING OF EXCEPTIONS. Mr. Stevenson expressed his position that the City should continue to prohibit any alcohol consumption at public events on city property. Mr. Stevenson’s concern was that while at one time the City had a similar provision in place as that being proposed, events eventually became too rowdy and the City enacted the prohibition. Mr. Byerly expressed his position that by passing the ability for exceptions, it would reflect that the City is welcoming to more events. Mr. Byerly also pointed out that a Council Member can vote “no” on any proposed request. **On a motion by Mr. Byerly, seconded by Mr. Mincer the Ordinance passed on first reading with Mr. Stevenson voting against.**

Council considered the award of the bid for the 2019 E Walnut Street Cured-In-Place-Pipe lining project to the lowest bidder. **On a motion from Mr. Stevenson, seconded by Mr. Conklin and carried unanimously, the agreement for Skanex Pipe Services of Victor NY in the amount of \$326,280.00.**

Council considered the recommendations of the 2019 outdoor movie series. **On a motion from Mr. Stevenson, seconded by Mr. Mincer and carried unanimously the 2019 dates and selection of movies was adopted.**

#### OTHER MATTERS

Mr. Morris verified the dates of the discount/face/penalty periods of taxes. City Manager stated the dates were printed on the tax bills and will include 60 days from the mailing date at discount, the next 60 days at face, and the remainder of the year at penalty.

#### ADJOURNMENT

**Upon motion by Mr. Morris, seconded by Mr. Mincer, at 8:15 p.m., the meeting adjourned.**

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Mayor

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City Clerk