

**City Council Meeting  
March 19, 2018**

City Council met in regular session on Monday, March 19, 2018 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 Council members Douglas Byerly, Richard Conklin, Joel Long, Steve Stevenson, Sara Stringfellow, and Mayor William Baney. Councilman Bravard was absent. Also attending the meeting was City Manager Gregory Wilson and reporter Wendy Stiver from The Express.

***COUNCIL MINUTES***

**On a motion of Ms. Stringfellow, seconded by Mr. Conklin and carried unanimously, Council approved the minutes of the meeting of the March 5, 2018 regular meeting of Council.**

***PUBLIC COMMENTS***

Richard Morris noted that The Express published a very nice article in the Progress edition about the City however he noted two corrections regarding the recent Bigatel/Shaner property transfer to Geisinger. He noted that the Express stated that Geisinger was a nonprofit and that the tax incremental financing (TIF) on the property ends in 14 years when actually it ends in 17 years.

***CORRESPONDENCE***

***Receipt of Wal-Mart Foundation Grant***

The Manager acknowledged the receipt of a \$1,500.00 grant from Wal-Mart Foundation for the purchase of a defibrillator for the Police Department.

***CCEP Membership Meeting***

The Manager notified Council that the Clinton County Economic Partnership's membership meeting is scheduled for March 31, 2018 at 7:00 p.m. at the Best Western.

***CCEP Time Out***

Mr. Wilson noted that the Clinton County Economic Partnership has scheduled a Time Out on April 12, 2018 at First Citizens Bank from 5:00 p.m. to 7:30 p.m.

***LHU Al Hoberman Legislator's Day***

The Manager notified Council that Lock Haven University's Al Hoberman Legislator's Day is scheduled on April 6, 2018 in the Parsons Union Building 11:30 a.m.

*Use of Triangle Park/Clinton County Women's Center*

The Manager noted that the Clinton County Women's Center requested the use of Triangle Park on April 26, 2018 to install #MeToo luminaries for Sexual Assault Awareness month. **On a motion of Mr. Conklin, seconded by Ms. Stringfellow and carried unanimously, Council authorized Clinton County Women's Center's request to install #MeToo luminaries in Triangle Park on April 26, 2018 for Sexual Assault Awareness month.**

**NEW BUSINESS**

***Consideration of an Ordinance amending Chapter 13, Licenses, Permits, and General Business Regulations, to include Part 6, Mobile Food Vendor Facilities***

The Manager presented an Ordinance amending Chapter 13, Licenses, Permits and General Business Regulations, of the Code of Ordinance to include Part 6, Mobile food Vendor Facilities, on first reading. Mr. Wilson noted that the Commonwealth of Pennsylvania issues licenses and permits for mobile food vendors, so this amendment does not require a city license or permit, however, the Ordinance does provide language pertaining to where this type of food vendor can set up. Mr. Stevenson stated that the ordinance should require some type of city permit otherwise how would the city be aware a food vendor is setting up in the city. Mr. Stevenson also stated that Section 13.508 does not notify which chapter is referenced. **On motion of Mr. Byerly, seconded by Mr. Conklin and carried unanimously, Council approved the following ordinance amendment on first reading:**

ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO 670, WHICH ADOPTED THE CODE OF ORDINANCES FOR THE CITY OF LOCK HAVEN, CLINTON COUNTY, PENNSYLVANIA, BY AMENDING CHAPTER 13, PART 5, MOBILE FOOD VENDOR FACILITIES

***Consideration of Ordinance amending Chapter 13, Licenses, Permits, and General Business Regulations, Part 2, Transient Retail Business***

The Manager presented an Ordinance amending Chapter 13, Licenses, Permits, and General Business Regulations, of the Code of Ordinance to amend Part 2, Transient Retail Business, on first reading. Mr. Wilson stated that the proposed Ordinance makes the following changes to Part 2: In definition removes the word "Transient Retail Business" and replaces it with "Salesperson"; establishes a fee by resolution of Council rather than by Ordinance; allows up to four sales persons per license; and establish a minimum fine. Mr. Stevenson asked if the City issues a license and Mr. Wilson responded in the affirmative and added that each salesperson is subject to a police background check. Mr. Stevenson also said that the language in Section 13-202 is confusing and should be revised to include a title "No License Fee Required". Mr. Stevenson added that Section 13-202 (2) refers to individuals and 13-204 refers to four persons. **On motion of Mr. Conklin, seconded by Ms. Stringfellow and carried unanimously, Council approved the following ordinance amendment on first reading:**

ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO 670, WHICH ADOPTED THE CODE OF ORDINANCES FOR THE CITY OF LOCK HAVEN, CLINTON COUNTY, PENNSYLVANIA, BY ADDING CHAPTER 13, PART 2, TRANSIENT RETAIL BUSINESS

***Public Hearing regarding Amendments to Chapter 27, Zoning***

A public hearing was held on a proposed amendment to the Zoning Ordinance to provide for Truck Stop/Travel Plazas and amend signage regulations. According to Mr. Wilson the Supreme Court issued a minority opinion which prevents a municipality to review the content on a sign, and therefore the City's signage ordinance was revised by the City Solicitor to ensure it complies with the Supreme Court's minority opinion.

With reference to truck stop/travel plazas, Mr. Wilson stated that they were included in the State gambling legislation, however, this type of use is not included in the City's Zoning Ordinance. He explained that if someone applied for this type of use the City would be required to permit it in the City's Industrial zoning district. He added that the proposed amendment allows this type of use in the City's General Commercial Light Industrial and Industrial zoning districts and adds language for Truck Stop/Travel Plazas pertaining to parking, signage, and supplemental regulations. Zoning Officer Cyndi Walker was in attendance and noted the proposed ordinance amendment was reviewed by the County and City Planning Commissions and provided a favorable recommendation. Mr. Baney asked for questions, comments and observations from Council. Mr. Long asked if the ordinance applied to temporary signs such as political signs. Planner and Development Coordinator Maria Boileau stated that the ordinance applies to all signs and the City can no longer look at the content on a sign. Ms. Walker added that the zoning ordinance does not regulate signs in the public right-of-way, however, Mr. Wilson noted that signs in the public right-of-way are regulated by another city ordinance. Mr. Baney asked for questions, comments and observations from others in attendance. Mr. Bill Mincer questioned if allowing only two signs on a property was enough. Ms. Stringfellow asked what the penalty would be if a person installed additional signs. Mr. Wilson stated that the zoning ordinance provides for fines for violations however that section of the ordinance was not being amended therefore it is not referenced in the proposed amendment. Mr. Richard Morrison asked if the proposed amendment addresses signage advertising a business on property that does not contain the business. Ms. Walker stated that off-premise signs were regulated in Section 27-1705 and is listed as a special exception. Mr. Wilson stated that city staff met with the City Solicitor to review the proposed ordinance and is now legally compliant with the supreme court decision. **On motion of Mr. Byerly, seconded by Mr. Stevenson with Mr. Baney voting no, Council approved the following ordinance amendment on first reading:**

ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO 670, WHICH ADOPTED THE CODE OF ORDINANCES FOR THE CITY OF LOCK HAVEN, CLINTON COUNTY, PENNSYLVANIA, CHAPTER 27, ZONING, PART 2 DEFINITIONS AND TERMS, PART 8 CENTRAL BUSINESS DISTRICT, PART 10 GENERAL COMMERCIAL LIGHT INDUSTRIAL, PART 11 INDUSTRIAL, PART 17 SIGNS, PART 18 OFF STREET PARKING, LOADING AND ACCESS REGULATIONS AND PART 20 SUPPLEMENTAL REGULATIONS

***Authorization to apply for DEP Section 902 Recycling Grant***

Mr. Wilson presented a memo from Ms. Boileau requesting authorization to apply to the Pennsylvania Department of Environmental Protection (DEP) for a Section 902 recycling grant. Ms. Boileau stated that the City is proposing to apply for a \$15,000.00 grant which requires a 10% local match and will be used to purchase educational materials to increase resident participation including Lock Haven University students on- and off-campus, as well as small business participation.

***Authorization to apply for Clinton County Tourism/Recreation Grants***

The Manager presented a request to apply to Clinton County for a Tourism/Recreation grant in the amount of \$3,500.00 for the summer concert series, and \$3,000.00 for boat dock signage.

**On motion of Mr. Conklin, seconded by Ms. Stringfellow and carried unanimously, Council authorized the submission of an application to the Pennsylvania Department of Environmental Protection for a Section 902 recycling grant in the amount of \$15,000.00 and to Clinton County for a \$3,500.00 Tourism/Recreation grant for the summer concert series and \$3,000.00 for boat dock signage.**

***Authorization to solicit bids for 2018 public works commodities***

The Manager requested authorization to solicit bids for the 2018 public works commodities. **On motion of Mr. Long seconded by Mr. Stevenson and carried unanimously, Council authorized the solicitation of bids for the 2018 public works commodities.**

***Authorization for the sale of 13 vehicles/accessories with bids due Apr 6, 2018***

Mr. Wilson requested authorization to solicit bids for the sale of 13 vehicles and accessories. He noted that bids will be due April 6, 2018. **On motion of Mr. Long, seconded by Ms. Stringfellow and carried unanimously, Council authorized the solicitation of bids for the sale of 13 vehicles and accessories.**

***Spring Cleanup Dates***

Mr. Wilson noted that Spring Cleanup has been scheduled for April 16-17 and 23-24, 2018.

**OTHER MATTERS**

Mr. Long asked when the demolition of the former Helig Myers will take place. Mr. Wilson stated that a meeting was set for tomorrow on site with the utilities.

Mr. Stevenson acknowledged the Lock Haven University wrestler who went to the finals. He added that he would like to see the Council agenda on a separate sheet from the rest of the Council agenda.

Mr. Conklin asked if an ordinance was approved on first reading can the ordinance be returned for revisions prior to adoption on second reading. Mr. Wilson said yes.

Mr. Byerly asked what the time line is to occupy the former PennDOT building. Mr. Wilson stated that three underground tanks need to be removed; two are significantly larger than what the city needs and one tank contains water. He added that a salt storage shed, and a portable lift needs to be installed. Mr. Wilson added that the city is relocating items that were in several locations throughout the city to the facility. Mr. Long asked when the City will be moving to the site. Mr. Wilson said he did not have a time line yet. Mr. Stevenson said that this was the first-time hearing about the need to remove the underground tanks and asked if they could just stay in place. Mr. Wilson said that DEP requires the City to permit the tanks each year and they won't allow the tanks to remain underground long term. Mr. Baney agreed that this was the first-time hearing about the underground tanks and asked if they had any salvage value. Mr. Wilson stated that he did not know if they had any salvage value.

***ADJOURNMENT***

**On a motion by Mr. Conklin, seconded by Mr. Stevenson the meeting was adjourned at 7:53 p.m.**

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**Mayor**

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**City Clerk**

**(These minutes are draft and subject to approval by City Council)**