

**City Council Meeting
March 18, 2019**

City Council met in regular session on Monday, March 18, 2019 in Council Chambers, City Hall, Lock Haven, Pennsylvania. The meeting was called to order at 7:00 PM by Mayor William E. 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 Douglass Byerly, Joel Long, William Mincer, Richard Morris, and Steve Stevenson and Mayor Baney. Also in attendance were City Manager Gregory Wilson, Human Resource Specialist Ivana Trader, Laura Jameson with The Express, Zoning Officer Cyndi Walker, Director of Public Works Tony Stopper, and resident Gary Linn.

COUNCIL MINUTES

On a motion made by Mr. Conklin, seconded by Mr. Byerly and carried unanimously, the minutes of the March 4, 2019 meeting were approved.

PUBLIC COMMENT

None

CORRESPONDENCE

The Northeast Mycological Federation requested use of Zindel Park on August 3, 2019 for their annual mushroom foray. **On a motion made by Mr. Conklin, seconded by Mr. Long and carried unanimously, the request for the use of Zindel Park on August 3 by the NMF was approved.**

The Manager provided notification of the donation of \$2,000.00 from Loggia Giosue Carducci Lodge No. 146 Inc. toward the 2019 Summer Concert Series.

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. 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 particular distances. Resident Gary Linn, in offering his opinion, agreed with Mr. Mincer that because the ordinance is open to interpretation by officers, he has heard that local bars are against the ordinance. Mr. Linn also supported the use of decibel meters as a way to ensure objectivity. Mr. Mincer said that until he sees the police policy of standards for

enforcement of the ordinance, he would not be comfortable voting in favor of it. 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. Morris expressed this would put the police in the position of making the rule they are meant to enforce and would instead like to see the standards set out in the ordinance rather than in policy. Mr. Byerly expressed his concern that if the ordinance is too detailed, it will become difficult to enforce.

Mr. Conklin stated that due to the concerns of other members of Council, he would withdraw his second to the original motion of Mr. Byerly. With no other second provided to Mr. Byerly's motion to approve the ordinance, the motion failed. Mr. Long agreed that the ordinance should be less subjective and more objective, and **on a motion from Mr. Long, seconded by Mr. Mincer and unanimously approved, the ordinance was tabled until such time Council has been presented with a set of rules for enforcement.**

Council considered the proposed 2019 Capital Improvement Plan, providing for the use of undesignated funds in the Capital Improvement budgets approved in December 2019 as was first considered during the March 4, 2019 regular meeting. The City Manager informed Council that no changes had been made since the original proposal. The Manager also reminded Council that because an item was approved in the Capital Improvement Plan does not mean that it necessarily will be purchased if funds or circumstances change. **On a motion made by Mr. Long, seconded by Mr. Morris and carried unanimously, the 2019 Capital Improvement Plan was adopted.**

NEW BUSINESS

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. Zoning Officer Cyndi Walker presented the proposed ordinance and review comments from Atty. Michael Roberts of the Cohen Law Group. Ms. Walker also presented a notice of favorable comments from the Clinton County Planning Commission as reviewed at its February 19, 2019 meeting, and the City Planning Commission as reviewed at its meeting on February 5, 2019. The City Manager informed Council that proof of publication of the hearing had been received from the Express. Members of Council were provided the opportunity to make comments and ask questions. Members of the public in attendance were provided the opportunity to make comments and ask questions, although there were none. Council then considered Ordinance No. 2019-__ on first reading. **On a motion by Mr. Long, seconded by Mr. Morris and carried unanimously, the ordinance was approved on first reading as follows:**

ORDINANCE NO. ____

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.

Council considered the disposition list of city-owned vehicles and equipment no longer of use to the Department of Public Works and the Fire Department. DPW Director Tony Stopper informed Council that with their approval, items would be placed on MunicBid where other municipalities and the public can bid on local government surplus items during the auction period. Mr. Stevenson asked if there would be a minimum bid on items in the auction, and Mr. Stopper explained that for some items there would be where the city is aware of a real value on the item, including the Fire Department equipment for which a reserve is set by the Fire Administrator Bob Neff. **On a motion by Mr. Stevenson, seconded by Mr. Mincer and carried unanimously, approval was granted to submit the vehicles and equipment for public bid.**

Council considered Resolution No. 1335, the Fair Housing Resolution for 2019. The Manager explained that the fair housing resolution is required to be adopted annually as part of federal and state aid packages, and that it remains unchanged from the previous year. **On a motion by Mr. Long, seconded by Mr. Conklin and carried unanimously, Resolution No. 1335 FAIR HOUSING RESOLUTION was approved.**

Council considered the proposed agreement with the Clinton County Housing Authority for payment in lieu of taxes (PILOT). Mr. Morris expressed his concern that the PILOT agreement does not reference the effective, or blended, tax rate of the City which uses a split rate. The City Manager stated that he would ask the Housing Authority to provide language to clarify the agreement. No action was taken by Council, which instead favored letting the other partners in the PILOT agreement consider the document and make their changes prior to the City taking up the agreement for consideration.

Council considered the award of the bid for professional mowing services to the low bidder, D.A.D.S. Landscaping of Jersey Shore for mowing and trimming of Peddie Park, Hanna Park, Triangle Park, the Civil War memorial, and the rear of parking Lot No. 1. (E Church Street and Mill). **On a motion from Mr. Mincer, seconded by Mr. Long and carried unanimously, the agreement for professional mowing services was awarded to D.A.D.S. Landscaping in the amount not to exceed \$12,090.00 for the first year, and the option to renew for up to three years.**

OTHER MATTERS

The Mayor asked for update on the status of repairs to the Tidlow Dam at Grant Street. The Manager explained that final plans had been received by the contracting Engineer and that the proposed work will not begin until after Labor Day so that it doesn't affect the summer recreation season. The Manager said when a start date is set, that the public will be informed as far in advance as possible so that people can remove their boats from the river.

Mr. Mincer asked the Manager if he had completed the draft rules and regulations for meetings of Council so that videotaping or live streaming of Council meetings can begin. The Manager said that he had not yet finished with the draft.

ADJOURNMENT

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

Mayor

City Clerk