

City Council Meeting March 18, 2024

City Council met in person for regular session on Monday March 18, 2024, and streamed live over YouTube and Facebook, in Lock Haven, Pennsylvania. The meeting was called to order at 7:00 PM by Mayor Long who opened the meeting with a moment of silence followed by the Pledge of Allegiance.

Roll was called and present were Council Members Heather Alexander, Tami Brannan, Jeffrey Brinker, Richard Conklin, Barbara Masorti, Steve Stevenson, and Mayor Joel Long. Also in attendance was City Manager Greg Wilson, City Planner and Development Coordinator Abbey Roberts, and Director of Community Life Kasey Campbell.

Guests in attendance were Bre Reynolds, Josh Hudson, Bill Stankowicz, Juno Olsen, Karin Sutherland, Elsa Winch, Rose Reeder, Dan Reeder, John O'Donnell, Diane Mills, Betty Brendel, Dave and Susan Rudel, Matthew Taylor, Ernest Greene, Daryl Bucknor, Joyce Bucknor, Robert George, Dave Winkelman, Jackie Garbrick, Emily Wright of the Record., Steve Coran, Dilonna Coran, Bill Barton, Jacqui Conklin, Gio Montarsi, Rita O'Brien, Jason Smith, Jason Borowicz, William McGill, Rex Caseman, Sharon Caseman, Kurt Smith, Micah Clausen, and Donald Houser.

COUNCIL MINUTES

On a motion made by Ms. Masorti, seconded by Ms. Brannan, and carried unanimously, the minutes from the March 4, 2024 meeting were approved.

PUBLIC COMMENTS AND REQUESTS

Mayor Long requested that anyone making a public comment regarding something on the agenda wait until the agenda item is being considered for their public comment.

Bill Stankiewicz addressed Council and made a statement regarding the letter to the editor from Swissdale Church and asked for clarification to his request, and stated that Swissdale was only part of the request as the insurer for the crosses in Triangle Park.

Rita O'Brien addressed Council regarding a water main break impacting her property in Castanea. Ms. O'Brien stated that she had been working with Hunter Stover and Tony Stopper regarding the issue, but there continues to be damage to her property. The City Manager agreed to investigate the issue and will keep her informed.

Gio Montarsi addressed Council regarding an issue with his property, and water that is flooding his yard due to storm drainage issues. Mr. Montarsi requested the city stop the flooding and fix the issues causing damage to his property. The City Manager agreed to investigate the issue and keep Mr. Montarsi informed.

Council considered to amend or rescind the adopted motion of Feb 26, 2024 for the installation of Easter crosses in Triangle Park and to hang the Christian flag on the Triangle Park flagpole for the month of April. The City Manager explained that if new information is brought before Council, they may vote to amend or rescind an adopted motion, which would apply to the motion made on February 26. The City Solicitor Justin Houser addressed Council and offered to answer any questions they may have regarding the resolution and legal issues surrounding hanging flags in Triangle Park, in an executive session.

Mr. Stevenson stated that he believes council would be liable if the city makes any changes to the vote.

Council recessed at 7:18 p.m. in Executive Session.

Council reconvened at 7:41p.m.

Mr. Stevenson stated that amending the motion does not fix the problem that we have and would not support splitting the vote. Mayor Long clarified that the vote that passed was to hang the Christian Flag and for the installation of crosses, and not recognition of Faith Month.

Dr. Brinker stated that he does not feel it would be conducive with the Sutliff v. Boston case that was discussed at the March 4, 2024 meeting. Ms. Masorti stated that what is being voted on is to have two separate votes for the request, not saying one will carry and one will not.

A motion was made by Mr. Conklin and seconded by Ms. Masorti to amend the motion made on February 26, in light of the additional information, and to separate the two items, the installation of the crosses, and the hanging of the Christian flag. On a vote of 3 to 6, with Ms. Alexander, Dr. Brinker, Mr. Stevenson, and Mayor Long voting in opposition, the motion failed.

Council considered a request from Harger Charities for the removal of a tree in Veterans Park. **On a motion made by Mr. Stevenson, seconded by Mr. Conklin, and carried unanimously, the request was approved, pending approval by the Levee Advisory Committee.**

Council considered a request for the use of Hoberman Park for a CCHA sponsored Easter Egg Hunt. **On a motion made by Dr. Brinker, seconded by Ms. Masorti, and carried unanimously, the request was approved.**

Council considered Resolution No. 2024-07, approving the installation of a Homecoming banner across Main Street from September 18 to September 30, 2024. **On a motion made by Mr. Conklin, seconded by Ms. Brannan, and carried unanimously, the resolution passed.**

UNFINISHED BUSINESS

Council considered Resolution No. 2024-08 governing the flying of flags on the flagpole in Triangle Park. The City Manager explained that at the March 4, 2024 meeting, City Council directed him to engage with the City Solicitor to review Resolution 2023-14 establishing the precedence of second flags to be flown on the flagpole in Triangle Park. The City Manager provided Council on March 4, the opinion of the City Solicitor points out that the government can

choose to express its own speech and choose what to say and not say, but when the government invites the public to participate in a program, it becomes unclear whether this is government speech or private speech, and provided Council with two ways to avoid conflict regarding the issue. The City Manager and the City Solicitor answered questions from Council regarding the resolution presented. Council answered questions from residents regarding the resolutions, and listened to residents citing concerns and providing support in favor of the current resolution. Dave Winkelman, Ernest Greene, and Emily Wright addressed council with their concerns with the current resolution and violations of free speech, and Betty Brendle read a statement from Karen Elias providing advice on changing the policy while remaining tolerant and accepting of residents' various culture and beliefs. Mr. Stevenson asked if the motion could be changed to have the resolution state that only the POW and American Flag be flown in Triangle Park, to which Ms. Masorti opposed, as it would stifle government speech to welcome all groups. Dr. Brinker stated his opposition to the resolution. The City Manager stated that if Resolution 2024-08 is not adopted, Council may ask for another resolution be drafted with new specifications. **On a motion made by Ms. Masorti, seconded by Mr. Conklin, and failed by a vote of 3 to 4, with Ms. Alexander, Dr. Brinker, Mr. Stevenson, and Mayor Long voting in opposition, the resolution was not passed.**

On a motion made by Mr. Stevenson, seconded by Dr. Brinker, and carried by a vote of 4 to 3, with Ms. Brannan, Ms. Masorti, and Mr. Conklin voting in opposition, Council asked the City Manager to draft a resolution to accept no more requests, and fly only the POW/MIA flag and the American flag on flag poles in the city.

Council considered the award of the bid for Taggart Park improvements to Bowman Excavation in the amount of \$402,965.57. The City Planner explained that this is higher than the grant funds originally dedicated to the project, so the planning department is able to revise CDBG funds to cover the bid amount and force account work related to the regrading of the fields. **On a motion made by Ms. Masorti, seconded by Ms. Brannan, and carried unanimously, the bid was awarded.**

Council considered the revision of the 2020 CDBG Budget (No. 1) to appropriate funds for Taggart Park, with Resolution 2024-08. **On a motion made by Mr. Stevenson, seconded by Dr. Brinker, and carried unanimously, the resolution passed.**

Council was notified of the allocation to the city from the federal Consolidated Appropriations Act 2024 for the funding of the Lock Haven Police Building in the amount of \$1 million. Another \$1 million from the Local Share Account program is pending award this fall. The Planning Department is also aiming to apply to the PA Broadband Authority for \$2 million toward the project. Further details about that application will be presented to City Council at an April meeting.

Council was notified of the award of PA Arts Cultivation Grant Program in the amount of \$15,000.00 for the creation of the Active Arts Corridor.

Council considered entering into an agreement with PPL for the installation of permanent Three Phase power to the supplemental water wells. **On a motion made by Mr. Conklin, seconded by Mr. Stevenson, and carried unanimously, Council agreed to enter into the agreement.**

NEW BUSINESS

Council considered the submission of letter of commitment for the WalkWorks grant program as part of the Active Arts Corridor. **On a motion made by Ms. Masorti, seconded by Ms. Alexander and carried unanimously, council approved the letter of commitment.**

Council considered setting April 1 to hear the request of the Sons of Italy for exemption to the noise ordinance on New Year's Eve. **On a motion made by Mr. Stevenson, seconded by Dr. Brinker, and carried unanimously, Council will consider the request from the Sons of Italy on April 1, 2024.**

Council considered the appointment of WWTP Operator Ian Bailey in place of Supt. Dave Sorgen, and SSL Justin Ripka in place of Foreman Jared Gist to the city's State-Certified Safety Committee. **On a motion made by Ms. Brannan, seconded by Mr. Stevenson, and carried unanimously, the above appointments were approved.**

Council was notified that under Section 380-42 of the City Code, on-street meters will be reinstalled on both sides of First Street from W Church to Bellefonte Avenue.

OTHER MATTERS

Council was provided with the 2024 LHV inspection letter, an update on the Tangent solar development project, and a Save the Date for the Hoberman Park Kaboom activities.

Dr. Brinker addressed Council regarding the painting of pride flags on city streets, and that he feels the city will have the same issues as they have with flags being flown in Triangle Park, and it opens the City up to problems regarding using city streets for freedom of speech, and that the city pays for the paint, stencil, and manpower. Ms. Masorti stated that by getting rid of street painting is a step backward, as Destination Lock Haven was created by the Community and for the Community. The City Manager explained that the city doesn't have a policy in place to charge for manpower, as we don't charge other organizations like Downtown Lock Haven and others when public works contributes in programs. Dr. Brinker asked that a discussion on the policy of street painting be on the April 1 agenda.

John O'Donnell addressed Council in support of the rainbows on the street, and it shows we welcome all people regardless of religion, and sexual preference, and the rainbow represents everyone.

Emily Wright spoke in favor of Dr. Brinker's discussion, and mentioned that the paint is still visible. Kurt Smith also stated that the city would be opening themselves up for further lawsuits.

Don Houser addressed Council with concerns about the lack of planes flying and that the Piper Airport no longer seems busy.

ADJOURNMENT

Upon motion by Ms. Alexander, at 8:46 p.m., the meeting was adjourned.