

City of Shamokin Regular Council Meeting
July 10, 2023
6:00 PM

The Regular Monthly Meeting of Shamokin City Council was held this evening with Mayor Richard H. Ulrich presiding.

CALL TO ORDER:

PLEDGE TO FLAG:

PRAYER:

ROLL CALL: Milbrand (arrived at 6:10 PM), Leschinskie, Moyer (by phone), Annis, Ulrich
Absent: None

PRESENTATIONS:

ACKNOWLEDGEMENTS:

Swearing in of Officer Seth Hart

Swearing in of Officer Noah Smith

BIDS:

CORRESPONDENCE:

Given to Council for review.

CITIZENS COMMENTS (contingent upon business listed on the agenda):

Joe Leschinskie spoke about the meeting on Wednesday that wasn't held because there wasn't a quorum. He also spoke about the ad in the newspaper that was the same with no amendments. He read the Third Class City Code for re-advertising for substantial amendments in the proposed ordinance, which he states didn't happen. They're voting on the same thing and changed 23-04 from 03, so they're re-enacting same thing which they are not allowed to do. He cited the Third Class City Code about proposed ordinances of the same subject matter. He mentioned that the meeting agenda states they're voting to place a Home Rule Charter on the ballot, which they have no authority to do. His three minutes were over.

Solicitor Greco responded to him that the section of the Third Class City Code he read doesn't apply, that section governs ordinance by petition where people will petition Council. Joe stated they're voting on same subject matter, 23-03 is the same as 23-04. Solicitor Greco was responding about the section he was citing.

Joe asked what are the differences in 23-03 that they need to correct in 23-04? They're voting on the same thing and does he agree that they have no authority to put a Home Rule Charter on the ballot? Asked if someone can explain what a government study commission does. Nobody has an answer. Councilwoman Moyer is voting for this now for the 7th time. How many times have they voted over the phone? 23-04 is the same thing as 23-03, they have no authority to put a charter on the ballot, and they don't know what a commission does.

Jesse Storm asked the Mayor about the legislation that would prevent call-in votes more than twice per year. Is he correct then that Councilwoman Moyer's vote would not be counted because she is participating by phone? The Solicitor stated that the Third Class City Code doesn't state that. Mr. Storm stated that they passed an ordinance for maximum two phone calls per year. Per the Administrator, this is her second time. Mr. Storm stated this is her third. Councilwoman Moyer stated she won't discuss her situation publicly. They will do some research. There was a meeting she missed in 2022. The Administrator stated may not be able to vote. They paused the meeting to look for the ordinance.

The Solicitor stated it was a resolution not an ordinance and cited the resolution. However, he cited the Third Class City Code and stated that it does permit attendance due to illness, so he believes she would be able to participate. Mr. Storm stated that they are going by the weaker of the two. The City has the right to make laws stronger, they can't make state law weaker and this time they made the law stronger but they are going back to the weaker one. Do they have a right to do that?

The Mayor confirmed if she is able to participate and Solicitor Greco stated yes, she can participate.

MINUTES:

Minutes are not available at this time. They will be available at the August meeting.

BILLS:

MOTION BY: Annis to approve the bills from May 2023 and June 2023, as listed on the Bill List.

Second by: Leschinskie

ROLL CALL: Ayes: Milbrand, Leschinskie, Moyer, Annis, Ulrich
Nays: None
Absent: None

DIRECTORS' REPORTS:

Accounts & Finance

General Fund \$ 660,444.94
Motor License \$ 233,791.25
Library \$ 698,297.80
Debt Service \$ 142,566.58

Recreation \$ 362,092.10
Street Lighting \$ 8,551.66
American Legion \$ 263.42
Neighborhood Mitigation \$39,900.03
Code Department Credit Cards \$ 5,861.5
Police Department Credit Cards \$ 4,537.01
Total All Funds \$ 2,156,306.29

Fund balances as of July 1, 2023 submitted by Brenda Scandle, City Treasurer.

Parks and Public Buildings

Councilwoman Moyer stated things are going very well at the pool, thanks to Larry and the staff. She also spoke about the great fireworks display.

Streets and Public Improvements

Nothing at this time.

Public Safety

Fire Department reported 36 total calls for the month of June.

Code Office collected \$16,479.21 in total revenue for the month of June.

Councilman Milbrand stated they get a lot of complaints that the Code Office isn't doing their job. He thinks they are doing a good job and the Code Officers are doing their best. There is only so much that they can do when it comes to what they can do. He also thanked whoever worked at, collected money for, and organized the fireworks this year. The fireworks this year in Shamokin were second to none and this was by far the most outstanding display that's been put on in years.

Controller

Nothing at this time.

Treasurer

Nothing at this time.

SEDA-COG

Betsy spoke about updates. She mentioned the \$2.675 million and setting up ECMS for that. She is also working to get a CFA Multimodal Grant in which is probably going to be around \$1.5

million but as soon as she has the amount, she is going to Council for permission to apply for that to add on to the one that the City already has. She is also going to put in for a EPA Brownfield Job Training Grant. She is also actively working to get funding for the American Legion Building. Regarding the H&H Study, the City's appeal is in with FEMA and it is under official review. For the Volunteer Park and Footbridge Plan, DCNR told them that the grant application scored very high; they won't know about that for a couple months. EPA Brownfield Grant will be finished about a year early and she is hoping to put in for another one. The HOME program is going well but they have a very long waitlist

See SEDA-COG report.

Final Public Hearing for 2023 Community Development Block Grant funds Monday July 10 at 630pm, following monthly City Council Meeting.

Chief of Police

Police Department reported 1,645 total calls for June 2023.

NEW BUSINESS:

- 1. First reading of Ordinance 23-04: Home Rule Charter to be put on the November 2023 General Election ballot.*

MOTION BY: Annis to advertise Ordinance 23-04: Home Rule Charter to be put on the November 2023 General Election ballot.

Second by: Moyer

ROLL CALL: Ayes: Moyer, Annis, Ulrich
Nays: Milbrand, Leschinskie
Absent: None

The City Administrator recommended that they hold a Special General Purpose Meeting on July 24th, 25th or 26th. They will discuss Council's availability and advertise the meeting.

UNFINISHED BUSINESS:

Councilman Milbrand asked if he could take one second to make note about the press release that he wasn't attending the last meeting, he was here but before he could park, former Councilman Bogetti took him to show him something and Councilman Milbrand was informed the meeting was cancelled. Just for the record, he was at the meeting but it was cancelled. He was present here at City Hall and it was before 6 pm.

BOARDS AND COMMITTEES:

SOLICITORS REPORT:

Nothing at this time.

CITIZENS' COMMENTS:

Jim Keele spoke about the property on Clay Street marked with a red X. Children live down the hill, thank you to the City guys that came up and fenced it in with fire/police tape, but it's still bad and still a hazard. They are tearing down two properties but he is hearing nothing about these other ones. The little kids that live down the street would be walking by going to school and walking up with caved in sidewalks. He doesn't have any photos today. The Administrator stated he was by last week to see if by some chance there is some positive activity going on. He agreed that it still looks as bad today as it did when he first came down to his property, after that is when he sent the Public Works Department out to put that orange fence up. He apologized and asked him to stay until the meeting is over so, in case he doesn't have his phone number, he would like to have it. Councilwoman Annis asked if they can check with Bruce about a blight listing and see where this one is at on there as far as getting it torn down.

Jesse Storm stated he is objecting to the vote because City passed a rule that there are only two phone calls allowed. He is looking towards the Police Chief at this point and ask if they don't follow their own rules and laws that they put in place, how would they enforce the public to follow the rules and laws put in place. The Administrator stated that the Chief enforces criminal law versus this being civil law. Mr. Storm stated law is law, whether it's civil or criminal you shouldn't break it if it's passed. He also informed the Mayor that the RDA, which he was appointed to, they are legally posted for having their meeting here tonight at 6:30, but they changed that this afternoon to the attorney's office without any public notice other than putting a sign on the door here and on the attorney's door and they added more bills to their schedule for tonight to vote on two hours before the scheduled meeting at 6:30. If they are going to hold people accountable, we need to hold ourselves accountable for both the vote tonight at this meeting and the RDA changing meeting locations without publicizing or posting the information. He asks that they intervene with a board to review what laws are being broken by public officials and appointed officials. He asks the Mayor that he not sign the first reading tonight and let this go back to a vote with everyone present or retake the vote tonight with who they have present. Councilwoman Annis stated he won't be signing anything tonight, this was to advertise it in the paper because it's the first reading. Mr. Storm stated the vote tonight shouldn't have happened for the first reading.

ANNOUNCEMENTS:

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Meeting ended at 7:15 PM

Minutes taken by Aeman Kamran, Administrative Accountant