

**REGULAR COUNCIL MEETING
DECEMBER 11, 2017 AT 5:00 PM
LEWISTOWN MUNICIPAL BUILDING COUNCIL CHAMBERS**

The meeting opened at 5:00 PM with Borough Council President Frank Berrier presiding. The Pledge of Allegiance was recited by all present.

ROLL CALL

Mr. Wilson, Mr. Moore, Mr. Eddinger, Mr. Rager, Mr. Felmlee, Larry Searer, Mr. Berrier, and Mayor Bargo were present.

HEARING OF PERSONS PRESENT

Harry Holmes, 21 Marble Street, stated that he has been doing night watch and noticed that there could be issues at 53 Valley Street with the building being emptied. Mr. Holmes questioned if police activity decreased in patrolling the area after the building was condemned.

Mel Smith stated she would like information in regards to the decision to lease the eight (8) meter parking spots behind the MCS Bank. Mr. Welham stated that there are some issues and the subject will be discussed in February at the Parking Authority Meeting. Mr. Welham also stated that Sacred Heart Parish Office is unhappy with the parking spots being leased to MCS Bank and that the Sacred Heart Parish Office and MCS Bank will need to work out the lease before Council votes on the issue.

REGULAR MEETING

CONSENT AGENDA

The following are routine, procedural, and informational non-controversial items and do not appear to require discussion or explanation prior to Council's action. These items will be acted upon by one motion, unless any member of Council desires to move an item to the Regular Agenda for further discussion.

- A. Approval of Minutes
 - 1. Law & Ordinance Meeting-November 2, 2017 and December 7, 2017
 - 2. Council Meeting-November 13, 2017
 - 3. Finance Meeting- November 9, 2017 and 16, 2017
- B. Approval of Treasurer's Report
- C. Approval of Schedule of Bills
 - 1. General Borough/Specialty Tax/Refuse/Wastewater Collection & Treatment/State Liquid Fuels
 - 2. CDBG Schedule of Bills w/Change order
- D. Approval of Facility Use Forms:
None
- E. Additional Facility Use Forms-Rec Board:
 - 1. Mifflin County Youth Baseball Pony League Fields from 1/1/18 to 12/31/18
- F. Acknowledge receipt of Downtown Lewistown Inc. Letter

- G. Acknowledge receipt of FAME Meeting Minutes November and October Response Stats
- H. Acknowledge receipt of Parking Authority Minutes from October
- I. Acknowledge receipt of Comcast Information
- J. Acknowledge receipt of DOT Final Ruling on Opioids
- K. Acknowledge receipt of November's Flow Data Info from Wastewater
- L. Acknowledge receipt of Invitation for Bids for Roll-off and Bid Opening Minutes
- M. Acknowledge receipt of Ja-Va, Inc. and MC Board of Assessment Appeals Information
- N. Acknowledge receipt of MC Board of Assessment Appeals Schedule for 10/12/17 & 10/20/17
- O. Acknowledge receipt of MC Planning & Development Letter for 2017 CDBG app
- P. Acknowledge receipt of MC Tax Collection Committee Letter & 2018 Budget
- Q. Acknowledge receipt of letter from PennDot
- R. Acknowledge receipt of letter from PUC
- S. Acknowledge receipt of Petitions for Judicial Sales
- T. Acknowledge receipt of Special Needs Tax Appeal Info
Acknowledge receipt of Street Sweeper News Release

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote approved the Consent Agenda.

REGULAR AGENDA

REPORTS

A. Treasurer

1. Ms. Walter requested Council's approval to appoint Boyer and Ritter as the Borough's Independent Auditors for the year of 2017.

On a motion by Mr. Rager and seconded by Larry Searer, Council by unanimous vote, approved Boyer & Ritter as the Independent Auditors by Resolution.

2. Ms. Walter requested council's approval to exonerate per capita taxes in the amount of \$220 received from the tax collector.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote approved to exonerate taxes.

3. Ms. Walter stated she received information for the release of 2015 CDBG funds and requests council's approval to pay the following amounts. The first pertaining to the Marble Street/Ridge Road Project and the Ridge Road Reconstruction. The funds will be released from the 2015 funds in the amount of \$4,906.11 for the administration of the CDBG grant. The second release would pay Fulkroad for the Ridge Road Reconstruction. The release will be paid from the 2014 funds in the amount of \$8,100 and the 2015 funds of \$38,186.07.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by unanimous vote, approved to pay for the release of the funds for the CDBG projects.

B. Code Enforcement Officer

1. Mr. Fink reported there were 55 Violations in November. He stated that 25 were for trash and tires. There were 54 permits issued for \$1,740.23 in zoning fees and for the year that brings the department to \$34,312.27. There was one LOMA letter issued last month.
2. Mr. Fink requested permission for R.E. Michel to extend their curb cut at 551 South Grand Street.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, approved to grant permission to extend curb cut at 551 South Grand Street .

3. Mr. Fink stated he has started 2019 sidewalk inspections on 4th Street for the 2019 paving project.

C. Fire Chief

1. Chief Barlett reported that for the month of November the fire departments had 23 alarms plus medical assists. No Fires of major proportions.
2. Chief Barlett stated the aerial testing is scheduled for December 18-19, 2017. The Borough bucket truck will be included.
3. Chief Barlett wanted to remind the community behalf of the fire departments to be careful of overriding their heater sources and electrical outlets with cold weather and the holiday seasons coming up.
4. Chief Barlett also wanted to extend holiday wishes to the community on behalf of the fire department.

D. Mayor

1. Mayor Bargo expressed her thanks to everyone who helped out with all the community festivities. She reported over 1900 people visited the ice festival on November 30, 2017.

E. Police Chief

1. Chief Clemens stated that in the month of November, the Lewistown Police had 296 calls to service, 74 citations for a total fine amount of \$10,730, 272 Street sweeper tickets totaling \$4,094.

2. Chief Clemens stated that the police department participated in several events November and early December such as the Veterans Day parade, ice festival, and a toy drive with the Salvation Army.
3. Chief Clemens stated that Friday, December 15, 2017, the police department will be holding their annual Fill a Cruiser Event.

F. Board of Recreation

1. Ms. Barr stated there was a special quorum to discuss the hiring of a pool manager and one request for alcohol approval policy. Ms. Barr stated that the Rec Board recommended Jackelyn Fultz person for Pool Manager. Larry Searer suggested letting the new council set the rate of pay. Mr. Berrier stated to put the pool manager's rate on the agenda for the January Finance Committee Meeting.

On a motion by Larry Searer and seconded by Mr. Moore, Council by unanimous vote, approved to hire Jackelyn Fultz as the 2018 Rec Park Pool Manager.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by majority vote 6-1 (Searer) approved the Alcohol Policy for Chris Yetter at the Community Center on December 15, 2017.

G. Borough Solicitor

1. Mr. Remy stated that S&S Trash Service won the 2018 Roll-Off Contract and the rates will remain the same.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by a 6-1 vote (Searer), approved the 2018 S&S Roll-off Contract.

2. ***On a motion by Mr. Felmlee and seconded by Mr. Rager, Council by 5-2(Moore, Searer) vote approved to prohibit mini casinos by Resolution.***

Roll Call

Bill Wilson	Yea
Mr. Moore	Nay
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Nay
Frank Berrier	Yea

H. Borough Manager/Secretary

1. Mr. Welham reported that the Borough received \$340,000 of the 1.2 million for the Multimodal Fund grant. This will go towards the \$700,000 Kish Street Project. Mr. Welham reviewed the numbers with Mr. Lucas Parkes, EADS Engineer. Mr. Parkes stated they are trying to get the new project and the project will not start until 2019. Mr. Felmlee stated he felt the red light was an essential to the area. Mr. Welham stated that there will be a traffic study done and reaching out to PennDot after the study is done to see if they will help contribute if the red light is deemed necessary.
2. Mr. Welham stated that the Borough received \$250,000 for a DCNR grant. In conjunction with other grants, the Borough now has \$521,902 to spend on the river walk.
3. Mr. Welham reported that the Borough received two more bids for the Vactor bay roof. Both bids coming in at \$3,750. These are \$2,655 less than the original bid of \$6,405 from Keith Mauery. An insurance certificate has been received from Shawn Freed.

On a motion by Larry Searer and seconded by Mr. Rager, Council by unanimous vote, approved to award the \$3,750 Vactor Bay Roof Contract to Shawn Freed.

4. Mr. Welham reported that he had a meeting with Mr. Fink, Seda-Cog, and North Shores Railroad. After looking at intersection at South Pine Road, Seda-Cog stated they would work up pricing to rebuild the intersection. After receiving the pricing the Borough can look into how much they will need after using CDBG funds or State Liquid Fuel funds.

UNFINISHED AND NEW BUSINESS

- A. Chief Clemens stated that since Sgt. Sheaffer has left the department, someone needs to cover vacations temporarily. Chief Clemens is requesting Council's approval to appoint Jeremy Poff as temporary replacement until testing can be completed on 1/5/18. The full time position has been posted in the department. Mr. Wilson questioned what will happen when the other Sergeant moves further from the Department. Chief Clemens responded by saying he will have to report to duty as usual no matter the distance away.

On a motion by Mr. Moore and seconded by Mr. Rager, Council by vote, approved to appoint Jeremy Poff as temporary Sergeant retroactive effective 11/20/17.

Roll Call

Bill Wilson	Nay
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Nay
Frank Berrier	Yea

B. On a motion by Larry Searer and seconded by Mr. Moore, Council by vote, approved to appoint Benjamin Rager to the Library Board by Resolution.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Abstain
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

C. On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote, approved to pay the \$5,510 solvency fee to the Bureau of Unemployment and Compensation.

D. Mr. Berrier stated that Council needs to approve final changes after the contract is prepared by Mr. Barry Pierce, Afscmc Representative.

On a motion by Mr. Felmlee and seconded by Moore, Council by unanimous vote, approved the changes to the upcoming Afscmc Contract.

E. Several board positions are either expiring or empty. Council requests that members whom positions that due to expire be called to see if they would like to continue serving. The subject will be brought up at the next meeting.

William Wilson – Finance Chairman

1. Mr. Wilson reported there will be no tax increase in the upcoming year. Mr. Wilson also reported the following budget changes:

General Budget:	2% decrease
Refuse Budget:	2% decrease
Wastewater Collection:	2% increase
Wastewater Treatment:	2% decrease

On a motion by Mr. Wilson and seconded by Larry Searer, Council by unanimous vote, approved to advertise the 2018 Budgets.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

Mr. Berrier stated that the budget will be adopted at the year-end meeting December 28, 2017.

- 2. On a motion by Mr. Rager and seconded by Mr. Moore, Council by unanimous vote, approved to advertise the Tax Ordinance with no tax increase.***

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Yea
Frank Berrier	Yea

Larry Searer – Streets Chairman

1. Larry Searer said they have a request to remove the yellow line in front of 78 Logan Street and insert a handicap parking space at 78 Logan Street.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote, approved to remove the yellow line at 78 Logan Street and insert a handicapped parking space at 78 Logan Street by Resolution.

2. Larry Searer said they have a request for removal of a handicap parking space at 82 Logan Street to move back to 78 Logan Street.

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote, approved to remove a handicapped parking space at 82 Logan Street to move to 78 Logan Street by Resolution.

3. Larry Searer said they have a request for the removal of a handicap parking space at 121 Chestnut Street.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote, approved to remove a handicapped parking space at 121 Chestnut Street by Resolution.

4. Larry Searer said they have a request for the removal of a handicap parking space at 238 East Fourth Street.

On a motion by Mr. Moore and seconded by Mr. Wilson, Council by unanimous vote, approved to remove a handicapped parking space at 238 East Fourth Street by Resolution.

5. Larry Searer said they have a request for the removal of a handicap parking space at 210 Logan Street.

On a motion by Mr. Felmlee and seconded by Mr. Moore, Council by unanimous vote, approved to remove a handicapped parking space at 210 Logan Street by Resolution.

6. Larry Searer said they have a request to allow parking on both sides of the 100 block of North Wayne Street. Mr. Remy stated that Council will adopt the Parking Ordinance temporarily for ninety days.

On a motion by Mr. Rager and seconded by Mr. Wilson, Council by unanimous vote, approved to modify the existing parking ordinance and allow parking on both sides of 100 block North Wayne Street for a ninety day trial basis.

PUBLIC COMMENTS

None

EXECUTIVE SESSION

Council went into an executive session at 5:50 P.M. for personnel matters.

Council came out of executive session at 6:45 P.M.

On a motion by Mr. Moore and seconded by Mr. Felmlee, Council by unanimous vote, approved to hire three part-time police officers.

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by 6-1(Searer) vote, approved to offer a settlement for a pending lawsuit to Major League Bottle Shop to transfer liquor license.

Roll Call

Bill Wilson	Yea
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Yea
Larry Searer	Nay
Frank Berrier	Yea

On a motion by Mr. Moore and seconded by Mr. Rager, Council by 4-3(Searer, Felmlee, Wilson) vote, approved to set the Administrative Assistant to the Police Departments pay rate to \$19.25 per hour with a 7.56% increase.

Roll Call

Bill Wilson	Nay
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Nay
Larry Searer	Nay
Frank Berrier	Yea

On a motion by Mr. Moore and seconded by Larry Searer, Council by 3-3(Searer, Felmlee, Wilson) vote with the mayor breaking the tie, Council denied continued employment to the probationary Clerk/Secretary.

Roll Call

Bill Wilson	Nay
Mr. Moore	Nay
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Abstain
Larry Searer	Nay
Frank Berrier	Yea


On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by 3-3(Searer, Moore, Wilson) vote with the mayor breaking the tie, Council approved to terminate employment of the probationary Clerk/Secretary.

Roll Call

Bill Wilson	Nay
Mr. Moore	Yea
Mr. Eddinger	Yea
Russ Rager	Yea
Jim Felmlee	Abstain
Larry Searer	Nay
Frank Berrier	Yea

On a motion by Mr. Rager and seconded by Mr. Eddinger, Council by 4-3 vote (Searer, Moore, Wilson) approved to advertise the clerk/secretary position if no one in house bids on the position.

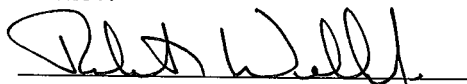
On a motion by Mr. Moore and seconded by Mr. Felmlee, Council unanimously voted to adjourn at 7:38 P.M.



(Vice) President, Lewistown Borough Council

(Seal)

ATTEST:



(Asst.) Borough Secretary