

The regular monthly meeting of the Borough Council of Lewisburg, Union County, Pennsylvania, was held at 6:30 PM on **Tuesday, February 19, 2019** in the Council Chambers, 55 South Fifth Street, Lewisburg. Present: Council President Morris; Councilmembers Derman, Frederick, Comas, Heayn, Mahon, Medina and Yohn; Mayor Wagner, Solicitor Lyons, Manager Lowthert and Secretary Anders. Also present: Kim Wheeler, Ellen Ruby, Gary Sojka, Beverly Hutzel (DCED), Ryan Hottenstein, Tina Prowait, Edward Zych, Carol Steckel, Bonnie Poteet, Paige Kaszuba, Connie Harter, Matt Farand, Tom Egan and Sam Pearson.

**CALL TO ORDER:** Council President Morris called the meeting to order at 6:30 PM, followed by the pledge of allegiance.

Council President Morris introduced two new members sitting at the table, Kim Wheeler has been hired as the Special Projects Coordinator/Grant Manager and Jacqueline Anders as Borough Secretary.

**APPROVAL OF MINUTES:** Motion was made by Councilmember Mahon, seconded by Councilmember Derman, to approve the minutes of the January 15, 2019 regular monthly meeting. Motion was unanimously approved.

**PUBLIC HEARING/ZONING ORDINANCE AMENDMENT REGARDING SIGN PROVISIONS:**

Council President Morris adjourned the regular order of business to conduct the public hearing on the Zoning Ordinance Amendment Regarding Sign Provisions. She called the public hearing to order at 6:34 PM. Solicitor Lyons asked if anyone had any comments. Ellen Ruby from Lewisburg Downtown Partnership had a question regarding section I under signs requiring permit it refers to paragraph 5 through 8 but she wasn't sure if that was the intent as paragraph 5 is a sign indicating hours of service. Councilmember Derman commented that it should be paragraph 6 through 8 not 5 through 8. Council President Morris indicated Ellen Ruby is on Section I the third page. Borough Manager Lowthert clarified where it says signs described in paragraph 5 through 8 of this subsection require a permit Councilmember Derman it should read 6 through 8. Council President Morris stated that right before that signs described in paragraph 1 through 5 do not require a permit. Council President stated that the two numbers will need to be changed. Ellen Ruby requested clarification on the table in section B it doesn't indicate that sidewalk signs require a permit, she wanted clarify that means a sandwich board would require a permit. Council President Morris stated that was the intent. Councilmember Derman verified that it is consistent and any sign on the sidewalk free standing sign. Ellen Ruby just wanted to clarify to make sure that she is assisting the businesses that need to get permits. Ellen Ruby also asked if there will be access to information regarding what the permitting process will be once it is passed or is that something that is already available. Manager Lowthert explained that the permitting would be through the Zoning Officer like all other sign related permits. They would be directed to David Hines at CK Cog. Council President Morris said that she thinks David Hines would do some visiting to get some things set up before he starts ticking people. Ellen Ruby want to be a between so she can help get things done before it comes to that point.

Tina Prowait from East Buffalo Township stated signs like Champion Shoe and Catherman's over the years looked horrible, she knows it has been there for years but is there any other way those can be changed. Council President Morris stated that those are prohibited and they were prohibited in our previous ordinance and they continue to be prohibited in this ordinance. Tina Prowait asked if they get citations. Council President Morris stated we will have to work on the process on how we are going to handle that but they are prohibited in this ordinance as they were previously. Councilmember Derman stated that it hasn't changed. The ordinance use to say and still says a sign on a sidewalk or sandwich board can only be first and part of your business on Market Street. Those signs, PennDot confiscated them a couple of times because it was in the PennDot right-a-way. Councilmember Comas stated that even if it is your business you can't get in the PennDot right-a-way. Councilmember Comas asked if anyone knows what the right a way is. Councilmember Derman stated it is 33 feet from the center line. It goes right up to the building from Second to Fifth. Some buildings are in the PennDot right-a-way. Council President Morris said they pretty much put enforcement of the old ordinance on hold until they got everything revised and could have something that we could be consistent with in terms of then discussing how we move into enforcing it. Tina Prowait asked that the one that is on at the intersection of Champion Shoe that's chained would no longer be aloud? Morris stated it was never allowed just not enforced.

Matt Farand from the Standard Journal and Borough resident asked what the differences the top three between the old and the new ordinance. Councilmember Derman stated they added new definitions with lighting and illumination. It was brought up to date, they got rid of the phrase neon lighting for example because no one has neon lights anymore. They did internal lighting, there is a lot of halo lighting which someone had when it originated, we changed some language changed temporary to time limited, changed definition for internally illuminated, added that signs painted on a window to the definition of a window signs, added the diffusion of LED lights so it doesn't look like a bunch of little dots, each business is allowed one internally illuminated sign. It was an update of language, technology adding things we forbid, sign people put with poles that curved with flag on it, can't have a guy in a bear costume in front of your store waving a flag.

Councilmember Comas stated that he disagrees and he thinks that it's unfortunate that the ability business that for whatever weird zoning reason are not on Market Street are losing the ability to be part of that corridor and he thinks a discrete sandwich board is fine. Councilmember Derman stated he agreed, but we can't. If it is allowed for one we have to allow for all. Councilmember Comas asked what if it related to businesses within the Borough. Council President Morris stated if you look going up and down Third or Fourth Street, you could end up with ten signs accumulated that are off site. Councilmember Mahon commented that there are Merchants have that prime real-estate and they pay to have that.

**ATTENDANCE**

**CALL TO ORDER**

**APPROVAL OF MINUTES**

**PUBLIC HEARING ON ZONING SIGN PROVISIONS**

February 19, 2019

Councilmember Derman stated LDP and design committee are looking at directional signs. Someway to put information on the side of a building or something official.

Council President Morris asked if there is anyone else that would like to speak at this time. No one wished to speak. Council President Morris declared the public hearing closed at 6:44 PM. She reconvened to the regular order of business.

**COUNCIL PRESENTATION(S):**

Ryan Hottenstein from Financial Solutions presented EIP Study Results. Financial Solutions was engaged by the Borough to work on an Early Intervention Plan which the Borough received a grant from DCED. The original purpose of the plan was to assess the Borough's current financial situation, put together a financial trend analysis and budgeted Revenue and Expense projections as well as take a look at some of the Borough operations and make recommendations on things that could be improved and put together steps and an ongoing multi-year plan to implement those recommendations.

Councilmember Comas made a motion, seconded by Councilmember Mahon, to approve the EIP study as presented to Borough Council. Motion was unanimously approved.

Councilmembers will be moving forward on the recommendations and begin discussions at the Work Session. Councilmember Comas commented that there are two big trends. The population in the Borough is more Grandparents and kids. Councilmember also stated that there's huge gains in age 65 and up and under 5 and swapping out owner occupied homes for rental housing.

Beverly Hutzler from DCED recommended submitting another application for the next phase after deciding on the recommendations to follow. DCED can work with the Borough to fund as long as it is a recommendation from the EIP Study.

**PUBLIC COMMENT(S) ON ANY AGENDA ITEM:**

**PUBLIC WORKS/POLICE COMMITTEE:** Council received the Buffalo Valley Regional Police Department's (BVRPD) monthly report and yearly report for 2018. Mayor Wagner complimented Chief Yost on being at the full complement of Officers since 2011.

Kim Wheeler, Special Projects Coordinator and Grant Manager reported on the Market Street Corridor Traffic Study informing that the project is intended to make recommendation and address multi-modal public safety, public health and welfare, traffic movements, mobility, impacts to the human, built, and natural environments and corridor protections and enhancements.

Three firms were interviewed and TPD – Traffic Planning and Design was the firm that the group selected to pursue cost negotiations with. Their cost proposal was affordable and the committee feels that it was able to negotiate all necessary and desired work tasks into the scope of work at a reasonable cost.

The final Professional Services Agreement is in the amount of \$69,650.00. Sufficient funding is available to cover the cost of the agreement. There has been funding from three lead institutions: Bucknell University, Evangelical Community Hospital and Geisinger Medical Center as well as the Borough of Lewisburg and individual community stakeholders. There was **much** discussion.

Councilmember Mahon made a motion, seconded by Councilmember Heayn, to enter into an engineering agreement with Traffic Planning and Design in the amount of \$69,650.00 for the Market Street Corridor Traffic Study, contingent upon review and approval by the Borough Solicitor. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to approve Resolution #19-02 that the Council President be authorized and directed to sign the Reimbursement Agreement and Borough Secretary be authorized and directed to attest and seal the same for Agreement R19030003 – Lewisburg Borough Bull Run Greenway Phase 1. Motion was unanimously approved.

Councilmember Mahon made a motion, seconded by Councilmember Derman, to direct the solicitor to prepare changes to our Parking Regulations under 345-27 – Parking Prohibited at all times in certain locations, Section A to include St. Catharine Street on the south side from Pine Street to South Seventh Street. Motion was unanimously approved.

Public Works/Police Committee approved LNC to investigate additional Yield to Pedestrian Signs.

**ADMINISTRATIVE/FINANCE COMMITTEE:** Councilmember Derman made a motion, seconded by Councilmember Heayn, to approve payment of bills from January 12, 2019 through February 15, 2019 in the amount of \$483,268.12. Motion was unanimously approved.

The Administrative Finance Committee directed Borough Manager to pay CSFES Attorney invoice in the amount of \$890.98 from the Fire Tax Fund.

The Borough is beginning the Cable Franchise Agreement Renewal Process with Service Electric Cablevision.

The Borough staff is investigating options for exterior improvements to the Borough Office.

**COUNCIL PRESENTATION(S)**

**PUBLIC COMMENT(S) ON ANY AGENDA ITEM**

**PUBLIC WORKS/POLICE COMMITTEE BVRPD**

**Market Street Corridor Traffic Study**

**Resolution 19-02 Reimbursement Agreement - Bull Run Greenway Phase 1**

**Parking Regulations – St. Catharine Street**

**General Updates**

**ADMINISTRATIVE/FINANCE COMMITTEE PAYMENT OF BILLS**

**Miscellaneous Items**

February 19, 2019

**COMMUNITY DEVELOPMENT/PLANNING COMMITTEE:** Councilmember Heayn made a motion, seconded by Councilmember Derman, to approve HARB items a, b, c and d as submitted and recommended by HARB per their minutes dated February 18, 2019. Motion was unanimously approved.

**a. Vito Mazzamuto/334 Market Street/Sign.** An application was submitted to and reviewed by HARB for a sign. Motion was made by David Heayn, seconded by Elaine Wintjen, to recommend approval and issuance of Certificate of Appropriateness (COA) for a sign on signboard and awning above door as submitted in the project description of the HARB application. It was explained that because the Borough street light logo is being used in these signs, permission **must be obtained from Borough Council** and the zoning office to confirm any text on awning. Motion was unanimously approved.

**b. Barbara Kalin/215 South Second Street/Windows, Roof, Siding.** An application was submitted to and reviewed by HARB for windows, roof and siding. Motion was made by Ted Strosser, seconded by Elijah Farrell, to recommend approval and issuance of a Certificate of Appropriateness (COA) for windows, roof and siding as presented and shown in the attachments to the HARB application, recommendation is for siding to be smooth, windows and roof shingles as per application. Motion was unanimously approved.

**c. Nicole Buck/236 North Front Street/Roof Updates.** An application was submitted to and reviewed by HARB for roof updates. Motion was made by Elijah Farrell, seconded by Kim Walter-Makowski, to recommend approval and issuance of a Certificate of Appropriateness (COA) for roof updates as presented and shown in the attachments to the HARB application. Motion was unanimously approved.

**d. Exner Family Trust/216 South Second Street/Roof Solar Panels.** An application was submitted to and reviewed by HARB for roof solar panels. Motion was made by Kim Walter-Makowski, seconded by Elijah Farrell, to recommend approval and issuance of a Certificate of Appropriateness (COA) for roof solar panels as presented and shown in the attachments to the HARB application. Ted Strosser abstained - Motion was approved.

**e. Project Update: Rodney Yoder/202/204/206 North Fifth Street/Window trim and Siding Change** HARB acknowledged the necessary changes from the January 8, 2019 HARB application.

**f. Project Update: Jeremy Hazlak/130 Saint Anthony Street/Roof and Siding Change** HARB acknowledged the necessary changes from the November 13, 2018 HARB application.

Councilmember Derman made a motion, seconded by Councilmember Medina, to approve the request for Lewisburg Delicatessen to use the Lewisburg Tri-globe Light image in their business sign as submitted. Motion was unanimously approved.

Councilmember Yohn indicated there are current vacancies on the Planning Commission, term expiration 12/31/19 and on HARB, term expiration 12/31/20.

**PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS:** Edward Zych announced his candidacy to replace Leo Armbruster in District Magistrate's position.

Tina Prowait asked if there was anything that Council could do regarding the ice sculpture incident of a student being served at The Town Tavern. Tina was informed that it is a legal issue not for Council

**MAYOR:** Mayor Wagner stated that it has been a busy and intense two months working with the Market Street group because the schedule was aggressive and a task well done and a lot was learned. Mayor Wagner is talking with the Cub Scouts next week. SBDC Steve Stumbris asked Mayor Wagner to co-host SBDC Day March 20<sup>th</sup>.

**COUNCIL PRESIDENT:** No report.

**BOROUGH MANAGER:** No report.

**BOROUGH SOLICITOR:** Councilmember Derman mad a motion, seconded by Councilmember Mohan, to enact Ordinance No. 1055, an ordinance amending section 360-25 of article V of chapter 360 of the code of the Borough of Lewisburg, being part of Ordinance No. 1010, enacted December 20, 2011, as amended, known as the Lewisburg Borough Zoning Ordinance of 2011, by changing the sign regulations with the following amendment being made to section I indicating paragraph 1 through 5 this subsection do not require permit and signs described in paragraph 6 through 8 of this subsection do require a permit. Motion was unanimously approved.

Councilmember Derman made a motion, seconded by Councilmember Comas, to enact Ordinance No. 1056, an ordinance amending the sidewalk and curb ordinance of the Borough of Lewisburg, by changing the specifications and construction requirements for sidewalks and curbs. Motion was unanimously approved.

**COMMUNITY DEVELOPMENT/PLANNING COMMITTEE HARB**

V MAZZAMUTO

B KALIN

N BUCK

EXNER FAMILY TRUST

Tri-globe Light Image Use Approved

VACANCY UPDATES

PUBLIC COMMENT(S) ON ANY NON-AGENDA ITEMS

MAYOR

COUNCIL PRESIDENT

MANAGER

BOROUGH SOLICITOR

Ordinance #1055 – Sign regulations

Ordinance # 1056 – Sidewalk and Curb amendment

February 19, 2019

**JUNIOR COUNCILMEMBER:** Borough resident Paige Kaszuba submitted a letter of introduction and had been suggested by Sam Pearson. Councilmember Derman made a motion, seconded by Councilmember Medina, to appoint Paige Kaszuba as the Junior Councilmember. Motion was unanimously approved.

**OTHER COMMITTEES:** Councilmember Medina informed Council that BVRA elected 2019 officer at the organization meeting last month. They continued to discuss the strategic planning for BVRA. Councilmember Heayn gave some details and information of the meeting.

Elen Rudy, Executive Director of the LDP, informed Council of upcoming events. There will be a craft fair in the park and sidewalk sales in downtown Market Street on June 1<sup>st</sup> which is also Bucknell's Alumni weekend and a fall festival October 12<sup>th</sup> in the park. The ice festival and the plunge was a great success.

Sam Pearson shared with Council various training opportunities. Sam also shared the following events: March 23<sup>rd</sup> they are doing a live stake planting, community clean up is scheduled for the first two Saturdays in April and also the spring and fall will happen with students and spring tree planting is scheduled for Thursday April 18<sup>th</sup>.

Councilmember Comas updated Council on Shade Tree and request Council guidance on how to subsidize.

Borough Manager Lowthert informed Council that an acting Executive Director has been appointed.

Councilmember Derman updated Council on their meeting and should have more information by the next Council meeting.

**ANY ADDITIONAL BUSINESS FROM COUNCIL:** None

**WRITTEN REPORTS:** Councilmember Derman made a motion, seconded by Councilmember Heayn, to acknowledge receipt of the Budget Index, the monthly parking report, the monthly Code Enforcement Officer's report, the monthly Zoning Officer's report, and Lewisburg Area Joint Sewer Authority November minutes and February Agenda. Motion was unanimously approved.

**WORK SESSION:** Manager Lowthert said there will be a work session held Tuesday, March 12, 2019 for long term Borough planning.

Council President Morris called for a five minute recess at 8:19 PM.

Councilmember Derman made a motion, seconded by Council President Morris, to hold an executive session on legal and personnel matters. Motion was unanimously approved.

Council entered executive session at 8:26 PM. Council returned at 9:21 PM.

There being no further business, Councilmember Derman made a motion, seconded by Councilmember Heayn, to adjourn the meeting. Motion was unanimously approved. Meeting adjourned at 9:23PM.

Respectfully submitted,

Jacqueline A. Anders  
Borough Secretary

**JUNIOR  
COUNCILMEMBER**

**OTHER  
COMMITTEES  
BVRA**

**LDP**

**LNC**

**STC**

**CK-COG**

**CENTRAL  
SUSQUEHANNA FIRE  
AND EMERGENCY  
SERVICES BOARD**

**ADDITIONAL  
BUSINESS FROM  
COUNCIL**

**WRITTEN REPORTS**

**WORK SESSION**

**RECESS**

**LEGAL MATTERS**

**(EXECUTIVE  
SESSION)**

**ADJOURNMENT**