

Council President Randy Allison brought the Special meeting of the Williamsport City Council meeting to order on Wednesday, February 10, 2021 at 6:30 PM per remote. Chris Cooley did livestream the meeting.

Council members present:

Randy Allison, President
Elizabeth Miele, Vice President
Bonnie Katz, Councilwoman
Adam Yoder, Councilman
Vince Pulizzi, Councilman
Jon Mackey, Councilman, t
David Banks, Councilman

Absent:

Also, Present:

Derek Slaughter, Mayor
Mr. Joe Gerardi
Mr. Joe Pawlak
Gary Knarr,
Mark Killian, Fire Chief,
Damon Hagan, Police Chief
Norman Lubin, Sol.
Janice Frank, City Clerk
Adam Winder, RVT

President Allison opened the Special Meeting of the Williamsport City Council meeting on February 10, 2021. It is now 6:50 PM and we are meeting remotely. We are getting late into the Council meeting because we had an executive session to discuss litigation.

Limited Courtesy of the floor.

There were none

Resolution # 9102

Resolution Approval of Center for Independent Living Consent Decree

The City Clerk read the resolution.

Mr. Allison asked for a motion and a second.

Mr. Yoder made the motion and it was seconded by Mr. Pulizzi.

Mayor Derek Slaughter: What you have before you is a consent decree. between the City of Williamsport and ADAC, reviewed by the attorneys and brought before Council for their review.

Mr. Allison asked if there were questions from members of Council.

Mr. Allison continued There are several parts to this consent decree. And our resolution tonight says the parties have agreed to the following consent decree. That the City of Williamsport , Lycoming County, Pennsylvania will approve this decree. And be it further resolved that the mayor of the city and the city attorney's will execute the documents necessary. There are several parts to this. But most of them are well known. And the consent decree there are certain things we are agreeing to do. But I do want to read a section. In the official decree.

That it is pertinent to the city. The things we both be compliant with throughout this agreement.

But the entering into this agreement is not an admission of liability. The city denies any and all liability for these claims. In this resolution is not an admission of a violation of the ADA or section 504. But, we are agreeing to build a ramp. We are agreeing to do the elevator work. And we are agreeing to do other work inside City Hall.

Emergency alarm lighting, and restrooms, and those kinds of things. And we will comply and have a process in place to address any and all assessibility because what is available for all citizens. There is agreement on.

And we will be moving forward with implementing this. And there are some timelines in there that can be brought out later. We do not have to go into every detail here. But it has been a long process. And this is through mediation we have come to this point. So, if there are no other comments or questions from councilmembers.

The resolution was carried with seven yes roll call votes. The vote was 7 to 0.

Mr. Yoder voted yes, Mr. Mackey voted yes, Mr. Pulizzi voted yes, Mrs. Katz voted yes, Mr. Banks voted yes, Ms. Miele voted yes and Mr. Allison voted yes.

Resolution #9103

Resolution Authorizing and interfund loan from the General Fund to the Utility Fund.

(suspend the rules)

Mr. Allison said we had to add this to tonight's agenda but it was not able to be put on earlier.

There were things work out. I will entertain a motion to suspend the rules tonight.

Mr. Banks made the motion and it was seconded by Ms. Miele.

Mr. Allison asked for any discussion on the motion to suspend the rules.

Mr. Yoder stated : I have a handful of questions related to this. And they are all applicable to the item itself it and suspending the rules. I will ask this one first. What is surprising this needs to be addressed tonight?

This is a special meeting, I understand that. Suspending a rule is concerning to me in general.

It is especially concerning the resolution with almost \$1 million and we have had four hours to look at the resolution.

We have no other details to the resolution. Before we vote to suspend the rules I want to know why it is so important to you today. Mayor, Mr. Pawlak your name is on here.

Mrs. Katz stated: It is our understanding is the invoices that were completed October of last year.

Due to the timeliness of getting that contract and approve the project. To get final rent reimbursements out there.

And grants finalized to close out this and the line of credit we have for the project. We feel it is important to get this done quickly.

Mr. Slaughter The contract was approved and the work completed. The work was finished the contractor is asking for

the payment but I did not realize there were issues with the payment until yesterday. It was brought to my attention this is have to take place in order to provide prompt payment. That is why I decided it needed to go on tonight because we already had a special meeting. The contractor has been gracious to say the least.

And we figured it was prudent to get it done sooner than later. So that they do not hit us with a payment beyond the 45 days. Considering I did not know it was an issue until yesterday. Any longer delay the contractor may or may not be gracious.

Mr. Yoder said : I appreciate that.

Mr. Slaughter stated : I realize it is a lot of money. But I did not realize until yesterday there was something going on. I think sooner than later for us to be responsive to the contractor.

Mr. Yoder stated : Gotcha. And a follow-up question two. If the work was done in October. I do not know who was responsible for making sure payment was done adequately. Because I know there are multiple hands in this packet between, you go, various entities and city entities. I guess another question before voting on suspending.

Who is ultimately the point person. For the financing of the overall project?

Mr. Slaughter answered: This started with this administration. But the original funding matrices. And again that is why I said I did not realize there were 80 issues there. It was all clear and straightforward. Prior to me taking over as mayor. And here we are.

Mr. Yoder stated Understood and asked who is the point person ? With the individual responsible?

Mayor Slaughter:answered The one person who has to set up on this but we had Reynolds, Larson Design, Chris Kaiser was one of the ones from Larson designed working on it. A number of people we have the final documentation. Everyone signed off on it. It is just getting this final payment out which to my knowledge.

There were no concerns around it until yesterday. Everybody signed off the work is done. So the point person I guess as far as the work. Our those individuals just mentioned. So, they do not have any issues with any of it.

And for the reimbursement we have canceled checks to Delta. They are the ones who deal with that side of it. directly.

Mrs. Katz stated I am thinking back from the genesis of this project until now. The funding stream, there were multiple funding streams to fund this \$25 million project. And they all flowed in from different parts.

Mr. Allison stated And I think going forward. To what councilmember Yoder is saying. I think probably what we need to do is double back now. And this would be a good place for public works and finance to see how much of the project remains. What is outstanding. And we can have the timeline for all of that going forward.

Mrs. Katz stated I want to go back to what councilmember Yoder said. There, since October you stated everybody signed off on the contrary. But to within the person overseeing everybody signing off to make sure things were finished?

Mayor Slaughter answered John Sander the engineer would be the main one. You know overseeing.

Mrs. Katz answered But he was new to the game he was not part of anything going on. So I do not think that would be there.

Mayor Slaughter: He was our engineer he knew what was going on. It is actually there, that is his job.

We have all of he documentation that was involved in that final piece of the project. Since he came on board.

He knew everything that was happening. Yes that is fair, actually paid he got it up to speed and got it taken care of.

Mrs. Katz: If he got it taken care of by two did not filter through finance to get the bills paid?

We should have known at that point in October. We have had since October not realizing what was needed to pay the bills. Because in October we knew that at that point.

Mr. Yoder asked: May I check in here. Mayor Slaughter the reason why I wanted to know the individual.

Is because it seems like whether it is training or what have you. There is a gap that needs to be closed.

Mayor Slaughter There is no gap here, there is not. This was a previous administration things got messed up.

I spent 13 months trying to fix this but this is not me and my administration period, zero. There is no gap here at all.

There are 13 months I have been working on cleaning this up. So, no.

Mr. Yoder: Mayor I understand you inherited the beast I understand that. And right or wrong you are administering it now I guess is the right word. My only point is if Mr. Sander I am not trying to throw Mr. Sander under the bus I just want to make sure this does not happen again. And if there is.

If this is something that could have been addressed sooner it would be good, I think moving forward.

to make sure Mr. Sander understand that properly. That is my ultimate point.

Mayor Slaughter: It was not Mr. Sander. It did not come to our attention until yesterday and treasurer Grimes brought it to my attention. So we were not aware there was an issue with funding at all.

So John give the closeout documents and give it to Pawlak and Treasurer Grimes brought it to us there was no gap on our side of it at all. They are the ones that said however the project was supposed to be funded way back when.

I cannot tell you what happened there. With the previous administration. We are bringing it to you all the because

clearly somewhere along the line back there something happen. Now we are trying to be above board and transparent as a this is what we are doing. I do not know.

Mrs. Katz stated : I understand there were so many fingers in the pot to get this completed that what it was brought to us in so many pieces got confusing at times of who was doing what and what needed to be done.

And I fully understand that. I guess what we are trying to say but at least I know I am.

maybe we need a spreadsheet of documentation of where everything is and what is going out and who is doing what to whom.

Mayor Slaughter: That is what I saying that was given to us. We got that on council. I did not realize wrong with that.

But it looks good when we got it. In the same position as you are all are. When I got this yesterday we have got the funding. So I do not know between the funding matrix and yesterday. You know.

I do not know what happened. This was all in the funding matrix. This project is years in the making.

So somebody out be on here. And maybe Treasurer Grimes can answer.

Think the overall issue is we have a 5.5 million project and a 2 million line of credit to satisfy the bills coming in on. \$5.5 Billion contract. Grants were not coming in as quick as they were anticipated.

So we ran into a point where we ran out of that financing in order to fund the program but were trying to come up with a solution and that the mayor indicated the Comptroller brought it to the attention that a process that is used prior to me

and throughout the time I have been here that it should go before Council.

I think there are varying opinions on whether it should or should not work needs to.

But I think any measure of full transparency that is what we are getting.

Mrs. Katz stated: Over the years we have had to have a bridge because sometimes the funding does not come through. And we all understand that. That people have that. And I think what is scaring me is we are talking over \$1 million right now of trying to pay this bill and that is what is scary.

Mr. Pawlak when we get this done we will have final payment for these contractors and submit the final grant reimbursement request. A start the process to get the funds in two reimbursed that bridge funding.

Mrs. Katz: And that scares me you and I know how long it takes to get reimbursed.

Mr. Pawlak : To which is what we are trying to get this as soon as possible. And that is why we are trying to get it done as quick as we can. Get the payment to the contractor get the canceled check necessary.

and then approved the final oddities from the engineer to break out between multiple grant awards that we have in this project. And some are quicker than others. But we will get that in as quick as we can. And get them out for the grant sources.

Mr. Yoder stated Let me wrap up my question at least for the reason why I am asking that question.

As I am one of them. I acknowledge there are a lots of new faces across the board in city government.

And again, this is a project going on for quite a while. The root of the question for me is trying to understand how, how a financing gap, I guess. Occurred. That likely occurred before any of us were here. I think that would be good for us to know and to apply that knowledge to future projects. Because we all want future projects to happen.

And that is the fruit of my question. And the reason I am asking that. Because if you did help in that effort I am happy to help it.

Mayor Slaughter let me just say there was confusion on who was responsible for the financial side of it.

Mr. Pawlak: As you will see from recommended changes to the resolution. Once we get there and hopefully if we get there. It is just a matter of who is responsible for taking on s project.

Mayor Slaughter: Moving forward it will be very clear. For projects in the future. Some things we probably cannot say publicly at this point.

Mr. Yoder: Understood that thank you. Again last minute is never fun. Circumstances our circumstances.

Those were a couple of questions answer why this was brought forward at the time it was. And within the timeframe it was. I thought it was important to ask them now before discussing the item at hand.

Thank you.

Ms. Miele stated I want to clarify two questions. I think we understand the gap financing issue. Which is to say we're talking about something in the neighborhood of 20 million. On these projects. And we did not put enough gap financing in place to allow to continue to go in place. That is one key issue. But I think to items point to correct me if I am wrong. The secondary part of the question is why wasn't this gap financing issue recognized? And why weren't we made aware of it? That was since October.

Mayor Slaughter answered: Because it was brought to me yesterday. I did not know there was an issue.

Ms. Miele : That is the point for discussion. Because the question is not is who is responsible for approving 1 million worth of bills. We all knew the bills would come in. But the question is why -- it is the person who should have been making invoices and settled and who wasn't. And that is not something we need to discuss publicly that is not my concern. The concern is that moving forward know who that person is for this project.

And we know who that person will be in a future project but that is a designated individual. Somebody is out there saying we need to pay this back. That is the problem. You know that person should never be me I can tell you that with great clarity. That is something I am terrible at. But my point is that is a different thing. From the general question about to be fined up without enough gap financing on the East Third St. project

Mayor Slaughter: That probably goes back to a couple years ago.

Ms. Miele: We should have, honestly. Had we not let the previous administration borrow as much as they wanted to. Without more financing for the lack of bad financing was because of city Council justified nervousness.

About the financial estimate. But that is a different question from just the next big ticket that comes down the pike with this project work next project. Who is the one who says check off. We send a check and we are clear.

Or we do not know we are getting that money.

Mayor k Slaughter: I can entreat you anything started under my watch will be very clear as we brought it to Council today. Because as Mr. Pawlak that there was a question of whether we will bring it to Council and I said it was clear we would have it to counsel and have this discussion in public. But more important absolutely. I guess that is my confusion with this right here. If this has been ongoing for years and I find out yesterday that there is an issue. This has been ongoing for how long? Many grants in play in different things and funding sources.

You know I am in the same position as Council. And I have the same exact questions.

Ms. Miele: And I would like further clarity on the matrix and that is not a matter for tonight discussion.

The one item I do want to clear up tonight. And the suspending rules motion. At some point I would like to understand. And make certain that the work we are paying for is fully reimbursed. And my presumption is it is.

That would be one major issue. As long as it is fully reimbursable if we use general fund college.

That are possibly part of an ongoing grant to the general fund. That is negligible especially compared to a late payment charge. But if for some reason this is money were not expecting to be reimbursed for the project and got over budget that would be different.

Mayor Derek Slaughter: This is reimbursable. And the thing is you need canceled checks to get the reimbursement. That is why I said it needs to come to Council ASAP.

Ms. Miele: Yes. I think just in future. And for any project we're authorizing moving forward there should be a point person in the administration. If part of the administration and identified point person. You know what I mean?

And maybe the best way to handle that is to figure out those roles when it comes to a vote before counselor that is something we did not do in the prior administration. That way everybody is aboveboard. Everybody knows what their responsibilities are. And everybody knows who to call when they need to ask a question.

Mayor Derek Slaughter: I fully agree. And it will be is to clear.

Ms. Miele: Thought it, I will voted to suspend the rules. Thank you, Randy.

Pres. Randall Allison: Are basically getting the resolution vetted here, are there any other questions?

Raise your hand now. We can still ask more. Okay.

I guess we are ready to vote on the motion to suspend the rules.

The motion to suspend the rules was carried with six yes roll call votes. The vote was 6 to 1.

Mr. Yoder voted no, Mr. Mackey voted yes, Mr. Pulizzi voted yes, Mrs. Katz voted yes, Mr. Banks voted yes, Ms. Miele voted yes and Mr. Allison voted yes.

Mr. Allison stated we have some amendments to do here.

Resolution authorizing and interfund loan from the General Fund to the utility fund.

The City Clerk read the resolution.

Mr. Allison for a motion and second.

Mr. Pulizzi made the motion and it was seconded by Mr. Banks.

Mr. Pawlak said Thank you for your consideration in adding this today. As discussed this is an interfund from between the general fund and currently the utility fund. After previous discussion and before the meeting.

It was discussed. And I have a few amendments to make. The first one would be to change the utility fund to capitol projects fund. Anywhere it is included in the resolution. There was miscommunication I guess as to which fund to be supporting this project. That will clear up that piece, the resolution. And as was previously discussed this is to reach finance but work is being completed. And the East Thir Street and Basin as part of the East Third Street project. We feel the interest loan fund is preferable to the city. Then going outside do to the interest factors and timing. With that being said this will be a long received the grant proceeds in from the various sources.

And that were secured for this project. Once those reimbursements are received we will repeat the general fund for the short-term loan. I asked the ending of the resolution to the end reading as follows but be it further resolved that the city Council of the City of Williamsport for Hawbaker 13-14 and Reynolds invoice 16-99-26 from the capitol projects fund. That just clears up which invoices and applications will be paid. In the source the payments will come from. With that being said I would be happy to entertain question.

Mr. Yoder: A couple of financial related question. This is additional bridge financing that makes sense. When we expect the grant funding to come in?

Ms. Katz : Think the reimbursements are from 2-3 months up to 5-6.

Mr. Pawlak stated We do have one outstanding that is in the review stage. And to close out if we get this contractor day. We are looking at revising that application while clarifying current questions they have. With the reimbursement they are reviewing. And that can be as quickly as possible. That is a signed reimbursement.

If it processes the way I expect it.

Mr. Yoder asked : Are we 100 percent confident we will get numbers?

Mr. Memmi: I have not heard anything that would lead me to believe otherwise.

We will take money from the general fund and give it to and the revise capitol Project funds, right?

Mr. Pawlak: Right.

Mr. Yoder stated : The city itself has cash flow issues. Will we run into a situation over the next three months where we run short of cash and take the note up to the point where we cannot anymore? And have issues paying day to day bills as the city as a result of this?

Mr. Pawlak: I do not believe so tax bills go out the end of March we should receive funds for the tax fund disperses twice a month. But we have been able to work with the tax office in the past to advance payments.

If we are coming up on a pay cycle of ours that is not necessarily correspond with the end of the month.

We will continue that relationship. If the city has funds in hands if you as much as we can to alleviate any bar.

Mr. Yoder: I guess the rare chance that that would happen. The city would run into more cash flow issues as a result of this. But are our options to mediate that?

Mr. Pawlak: If we run out of the tax anticipation note we can issue another one. And just a reminder to those who argue were on Council Any drive down on the tax anticipation note would be followed up with the finance committee. So you will have an eye on that as we have done in the past. So that you can keep an eye out.

So if anyone thinks we are approaching that point.

Mr. Yoder: And I was going to ask the question of what other alternatives we have but I do not think we have an answer to that. If you have been dealing with this 24 hours at this point, right?

Mr. Pawlak: The only other option is to find outside financing which will take additional time. Which will delay things.

Mr. Yoder answered: Okay. That is all I have got for now. Given we have no other options. Thank you for answering my questions, Joe.

Ms. Miele stated I have two questions. One is the 2 million line of credit we have open is fully utilized at this point, obviously. is there an easy way to flip cash from that if we receive it? So that we can expand our ability to use the transfer for city purposes?

Mr. Pawlak: Any grant proceeds will go and pay this up in the interim borrowing that we have is not set to term until November, I believe it so any funds that would come in from Krantz.

My proposal would be to repay this obligation first. The general fund. Which would minimize meeting to draw down on the tran.

Ms. Miele: That sounds good.

Mr. Yoder Just a general comment. Piggybacks on our earlier discussion. As the administration looks into what they do not know yet because this came up in the last 24 hours. It would be good at the appropriate time to understand what happened. So I would kindly ask when the administration gets to the root of. That we are brief on that maybe in finance or what have you. it is appropriate to get an overall status project and with the pressure.

I think we are at the end of it.

Mr. Allison asked if there was any more discussion and he asked for a vote.

The resolution was carried with seven yes roll call votes. The vote was 7 to 0.

Mr. Yoder voted yes, Mr. Mackey voted yes, Mr. Pulizzi voted yes, Mrs. Katz voted yes, Mr. Banks voted yes, Ms. Miele voted yes and Mr. Allison voted yes.

Announcements

The next regularly scheduled City Council meeting will be held on Thursday, February 18, 2021 at 7:00 PM, Remote.

Tuesday, Feb. 16	11:30 AM	Public Safety
	1:00 PM	Finance Meeting
	2:30 PM	Public Works Mee
	6:30 PM	HARB*
Wednesday, Feb 17	10:00 AM	Blighted Property*
Thursday, Feb. 18	10:30 AM	Zoning Hearing Board*
	4:00 PM	Board of Health*
	7:00 PM	City Council meeting

All meetings are held remotely unless indicated with an * asterisk, whereas will be held at Trade & Transit, II, 144 West Third St, 3rd Floor, Williamsport, PA.

Adjournment

Mr. Allison asked if there were any comments from Council.
There were none.

Mr. Allison asked if there were any comments from the administration.
There were none.

Mr. Allison asked if there were any comments from the general public
There were none

Mr. Allison asked for a motion to adjourn.

Meeting adjourned upon motion by **Mrs. Katz** and a second by **Mr. Pulizzi**. Meeting adjourned at **7:44 PM** with **unanimous ayes**.

Submitted by:

Janice M. Frank
City Clerk